SUPPLEMENT

TO

MR. COODE'S REPORT

ON THE

LAW OF SETTLEMENT AND REMOVAL.

Ordered, by The House of Commons, *to be Printed,*
11 *August* 1854.

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SETTLEMENT AND REMOVAL.

RETURN to an ORDER of the Honourable The House of Commons, dated 10 August 1854;—*for*,

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SUPPLEMENT

TO

MR. COODE'S REPORT

ON THE

LAW OF SETTLEMENT AND REMOVAL,

BEING

REMARKS ON COMMUNICATIONS ADDRESSED TO THE POOR LAW BOARD,

ON THE

SUBJECT OF THAT REPORT."

(*Sir George Brooke Pechell.*)

Ordered, by The House of Commons, *to be Printed*, 11 *August* 1854.

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TO

MR. COODE'S REPORT

ON THE

LAW OF SETTLEMENT AND REMOVAL,

Being Remarks on Communications addressed to the Poor Law Board on the Subject of that Report.

To the Poor Law Board.

My Lords and Gentlemen, 2 January 1852.

I owe you my thanks for your courteous communication to me of several valuable and interesting papers addressed to you upon the subject of the draft of a Bill prepared by me, by your direction, for the repeal of the law of removal of the poor, in accordance with the recommendations contained in my Report on the subject.

Amongst many gentlemen, so many of whom are obviously well informed on the matter, who have exercised an enlightened and independent judgment, and expressed it with candor and sincerity, it was almost impossible but that some of them would differ in some particulars more or less in their estimate of the usefulness of the proposed measure. As they who have so differed have in most cases stated clearly their grounds for their difference, or where it is matter merely of opinion, have stated it as no more; nothing further now appears to be required as to these, but that our respective views, and the reasons offered for their justification, should be considered with the same candor with which they have been exposed; and for my own part, as to most of these gentlemen, I only feel myself called upon to express my deep gratification at finding myself to so great an extent in agreement with so large a majority of persons, who are clearly some of the most competent of any in the world to give a judgment on the matter.

There remain some few other differences, which are more than speculative differences of opinion, and contain or imply

important misconceptions or misstatements of facts. Some of these are obvious enough to be quite harmless, and will require no remark from me. Others are more specious, or more in alliance with prevailing errors or prejudices, and may on that account be of sufficient importance to justify an attempt to give them a final refutation.

When the conclusions from which I differ are grounded on the assumption of facts which do not, or cannot exist, I shall be obliged, perhaps, to disprove the facts as well as the conclusions: when they are founded on an ignoration of existing facts, I may be compelled to establish them: and I foresee that my remarks may on this account run to a considerable length, and some apology may thus seem to be due for my again seeking to occupy so much of your attention and most valuable time, and some explanation why these remarks, if pertinent at all, were not originally included in my report. It is my excuse for this omission, that the subject of that report was in itself sufficiently extensive, and that it did not appear to be advisable to amplify its treatment by attempting by anticipation to confute all conceivable groundless hopes, fears, and assertions, and that, for my own part, I deliberately abstained from even the most plausible conjectures or anticipations, when they were not the most immediate inferences from the most indisputable facts. It seemed to me, then, to be a fair expectation, that by setting forth the solid historical and economical facts, and their simple mutual relations, the discussion might thenceforth be taken out of the field of conjecture and prejudice, and kept within substantial, practical, and rational limits. And, indeed, the present manner of the public discussion of the subject is in most cases satisfactory, and justifies that expectation. Still, as there have occurred a few instances where writers and speakers have preferred to leave the plain facts of the case, to assume others more or less fictitious, and to dispose of the matter on grounds of prejudice or sentiment, and as they are not disentitled to respect, nor without authority and influence, it is apparent that enough has not yet been done to settle the question. It after all appears desirable to meet these supporters of the law of removal on their own chosen ground. In attempting this I am compelled, as they lead me into a new region of discussion, to show at the same time the want of basis for their conclusions, and the real basis for the contrary. The task throws on me all the labour of displaying in several instances all the facts on both sides of the contest, and compels me to be copious where this omission has made the adversaries' statements most succinct.

It

It will be convenient to examine first the arguments of those who entirely dissent from the object of the draft Bill,—the abolition of the law of removal of the poor (1 to 45); and afterwards the objections of those who, approving in the main of this object, still recommend some important difference in the manner of carrying it into effect (46 *seq.*) Two classes of objectors.

I. Of all those who object to the abolition of the law of removal, the writer whose communication is numbered 8, appears to be one of the best informed, to have had great opportunities for ascertaining facts and prevalent opinions, and to have taken the most elaborate pains to support his views. Where it will not be an injustice to other writers on his side of the question, in other words, where his appears to be the best statement of the subject on that side, it will be fair and safe to adopt his expressions as representing the views generally of those who agree in the same conclusions. I. Observations on the communication to the Poor Law Board marked No. 8;

He first says, "I do not think that the chief proposals of "the Bill—viz. the abolition of removal by law, and the sub- "stitution of union for parochial chargeability in all cases, "which I take to be inseparable parts of one scheme, and not "independent projects—would be a really valuable improve- "ment upon the present law. On the contrary, I am of opinion "that the change would give rise to evils of greater magnitude "than those justly attributable even to the existing state of "things, without regard to the improvements of which it is "susceptible, leaving the principle of settlement and removal "untouched."

His communication is, then, distributed under heads, two of which do not require any observation, and the two others of which are as follows, viz.:— the writer's division of the subject of discussion;

1st. In which he divides "the pauper population" into two classes—"the paupers chargeable by settlement", and the paupers "chargeable by residence"; and describes what he considers to be the interest of ratepayers with regard to such paupers respectively under the present law, and the way in which these interests affect such paupers respectively.

2d. His anticipations of the manner in which "the interest "of the ratepayers" would act on all paupers, if the law of removal were abolished as proposed in the Bill; and his views of "education as the proper remedy for existing evils".

Being unable to find any quite satisfactory connexion of the matter I am to treat of, I will in my observations, so far as they extend, follow his order.

THE POPULATION REALLY AFFECTED BY SETTLEMENT (1 to 16):

the writer's division of the pauper population;

1. He says, unanswerably, that "the pauper population "may be divided into two unequal portions;" but he immediately adds, though not so incontrovertibly as being only very partially true, that "each is subjected to the operation of "*different* interests on the part of the contributors to their "relief."

he excludes from consideration all but the "paupers" and "ratepayers";

It may now be observed, that the writer here, and throughout his communication, confines his observations to the "pauper 'population,' and to the operations of the rate-"payer's" interests. He is not singular in thus appearing to discuss the operation of the law of settlement as if it bore only on "paupers" and "ratepayers." Nearly the whole of the writers on his side take the same narrow basis for their argument, and arrive at a conclusion as to the whole of the subject from premisses from which the greater and most practical parts of the subject are excluded. It thus becomes necessary to bring the whole into view.

they being less than a twentieth of the people really concerned;

The "pauper population" would be overrated if they were now estimated permanently at 900,000, or at one-twentieth of the numbers of the self-supporting population. Other investigators * have more comprehensively regarded the law of settlement as affecting every class of the community;—

—namely, the Landlord,

the Landlord, as fixing on his land hereditary and irremovable burdens, as glutting his land with immovable labourers in excess, who devour his rental, and disgrace his estate, or as keeping from his land the supply of independent labourers necessary to its cultivation or improvement, or as driving him to adopt unnatural and costly artifices for the prevention of the one evil, and to submit to barbarous practices and costly sacrifices for the want of the other advantage;—

—the Tenant,—

the Tenant of land, as suffering the landlord's evils in their first stage, as compelled to adopt processes recommended not by plain considerations of economy and good husbandry, by improved knowledge, by the progress or change of the markets, but by the fear of the burden of the unemployed labourers as

—producers,—

paupers;—the Manufacturer,

—traders;

the Trader, when seeking to enlarge his operations, as made dependent on the casual help of an inferior race, having an artificial monopoly of the occupations that would naturally, but for this factitious institution be open to all our people; or should his failing business require a diminution of hands, as burdened incurably, when their profitableness has ceased, with their maintenance, as settled or irremovable

* *See* Appendix to my Report of Settlement and Removal (46) *et seq. passim*.

movable paupers;—all other Employers as compelled in one half of England to seek their servants where they are deficient in numbers, and where a few have a monopoly, which makes them at the same time dear and insolent and unimprovable, and in the other half of England where their depressed and hopeless condition degrades and paralyses them, so as to make them dear at any price:—above all, the universal Labouring Class itself, as corrupted almost as much, in one half of England, by possession of a factitious monopoly of a rising market for their labour, uninvaded by any respectable or formidable or improving competition, as in the other half by the reliance on the privileges of settlement, and the vague fears of the effects of losing them, and the mischievous tampering with their condition, practised by those who feel or fear the burden of their support. Other investigators have truly considered all these classes as forming an aggregate of vastly greater importance than the mere paupers, and as all being in different degrees everywhere affected or interested by the law of settlement.

—all other Employers;

—and the whole labouring class, pauper or independent;—

These other classes, unnoticed by this writer and generally overlooked or imperfectly noticed by those on his side, are in such a proportion, that the self-supporting population is to the whole "pauper population," in mere numbers, as nineteen to one; but in an economical and moral consideration must be estimated at a vastly higher relative value; proportions, too, which are incessantly changing quantitatively and morally in favour of the greater number and greater comparative value of the self-supporting class. It would therefore be incumbent on all those who affect to dispose of the whole policy of the settlement laws to consider their effects on these more important nineteen independent persons, as well as on the one pauper, or else to show that these nineteen persons are not concerned in the matter.

—the other classes interested being as 19 non-paupers to 1 pauper.

2. It being thus premised that all the remarks of this writer apply only to about one-twentieth of the population which other inquirers more correctly consider to be seriously concerned in the discussion, it remains to examine his views as to this fraction,—this twentieth part of the subject,—which I shall attempt to do in such a way that my remarks may at the same time apply to views more or less commonly entertained, without dwelling on many minor differences which obtrude themselves, but are in a less degree representative of any widely prevalent opinion.

His classification of "paupers."

The communication proceeds, "About *three-fourths* of this "(pauper) population consists of persons having settlements

viz. those *chargeable by settlement*,—

" in parishes upon which the cost of their relief primarily " or ultimately falls, without reference to the place of their " residence. Generally speaking, *therefore*, it is *immaterial* " to the ratepayers, as far as concerns the question of *pro-* " *viding relief*, whether the paupers of this class *reside* in " their parish of settlement, or in other places, although the " chance of employment, or of the loss of settlement, occa- " sionally attending non-residence, is sometimes a considera- " tion."

This description of the paupers who have for the time being acknowledged or indisputable settlements, and whose relief falls without present question upon certain defined parishes, is often used in the way in which this writer uses it, namely, as justifying the conclusion that because there is no pending legal question as to the present charge of the support of these paupers, there is also no other economical or moral or political subject of question, not only as regards them, and their parish, but as regards all other paupers and poor people and ratepayers, and other persons affected by the operation of the law of removal. This manner of disposing of the subject is so frequent as to justify the expenditure of some attention here and elsewhere upon it.

—about one-thirtieth of the population.

In the first place, it is to be remarked that " three-fourths" of the " pauper population" is perhaps about one-thirtieth of the whole population, or say 660,000 persons. If, therefore, any material difference of policy could be established as applicable to this class of persons, it would still only affect a thirtieth part of the persons really concerned, and would dispose of much less than a thirtieth part of the whole matter in question.

" immateriality" of their place of residence;

Admitting that this number of paupers are practically for the present in the relation to the ratepayers which this writer describes, it is still proper to ask, is " the cost of relief," then, the only consideration which does now, and ought still, to influence the condition of even the pauper, to say nothing of the other 29-thirtieths of the people truly concerned, although omitted in this description; is nothing else, and ought nothing else to be " material to the ratepayers" besides " the question of providing relief?" And supposing that no other considerations than the cost of his relief does or ought to influence the condition of the " pauper," and that no persons but the " ratepayers" are to be considered as concerned about him, still, whether " the " ratepayers' " concern about the cost of this one pauper, and the ratepayers' indifference as to this one pauper's settlement is

is to determine all questions as to the interests of the other nineteen self-supporting inhabitants of the parish, and the concern which other people besides the "ratepayers" may have in them?

To each of these questions, it appears to me that the true answer would be the direct opposite of that implied in the writer's words—that the "cost of relief" is but one, and but a small, consideration in comparison with all the others; this cost being at the rate perhaps of 5*l.* a year per pauper, a loss to the community, while his value in a state of independence would not only include this by saving it, but would be at least twice as much in positive additional value, while the entire difference of economical and moral value involved in the opposite conditions of pauperism and prosperous independence are incalculable;—that so far, too, from this 5*l.* a year being, as assumed, a fixed charge, wholly incapable of being increased or escaped by the change of "residence," making the residence an "immaterial question," it is certain—and every labourer would tell him so,—that it makes all the difference in the world to every man, pauper or independent, whether he is to be held tied, as the writer proposes that he shall for ever be, to a parish in Wiltshire, where he is now and then, when he is employed, worth 6*s.* or 7*s.* a week, and his family commonly less than nothing; or whether he is allowed to reside, say in the West Riding of Yorkshire, where he would be permanently worth 14*s.* or more, and his family perhaps as much again;—and that, besides, his residence in Wiltshire affects not the "ratepayers" only, and the one pauper of this class, but affects positively all the other paupers, and all the self-supporting people of his parish, where he is a burden to the ratepayer, and a weight on all his fellow-labourers, and moreover affects negatively all the population of some progressive place, where his presence, if allowed, would be a gain, and an additional element of prosperity;—that the value of the choice between a parish where employment is casual and wages are 6*s.* or 7*s.* a week, and the other half of England, where they are almost constant, at 10*s.*, 12*s.*, 14*s.*, or 15*s.*, and where there are more than proportionate advantages to the family, would not be great alone to the one "pauper" and the "ratepayer" who now relieves him, but even greater to every one of the far greater number of self-supporting people, whose preponderant interest, and that of whose present and possible employers and connexions, this writer entirely excludes from his consideration;—that even if the "residence" of this portion of the paupers were, as the writer asserts, of no "consideration

—as to the paupers;—

"sideration to the ratepayers," the free choice of residence of so many of the other twenty-nine times as numerous self-supporting people as might find it to their interest to shift their residence, must always be a preponderating concern, not only to the ratepayers and paupers whom this writer alone considers, but to themselves and all classes of the community, both where they are now stagnant, and where they would then resort;—that so far from the "place of residence" being "immaterial to the ratepayers," this "residence" is the original groundwork of settlement, and of the whole of their liability to the charge, and that the change of residence is the only possible way in which they can escape from it, either by mere absence of the burdensome object, his renewed independence, his acquisition by residence of the privilege of irremovability, or, most of all, his acquisition thereby of another settlement;—and finally, to drop many other less essential considerations, that this question raised as to "residence" of a pauper under a settlement, often as it is resorted to by respectable writers and speakers, is practically an entire evasion from the real subject in hand,—the question, namely, whether the choice of residence shall be free to all paupers and to all self-supporters, without the clog of settlement, without the tie of the ratepayer by settlement to the absent pauper.

—as to the "ratepayers";—

Connexion of this assertion with the rest of the writer's argument:

3. Such are, in a public view, the main objections to the assertion, that "the place of residence" is "an immaterial "question" to any one, be he "ratepayer" or not, "pauper" or independent, producer or consumer, employer or employed. But as regards the writer's fears of the evil effects of repealing the law of removal, and his argument put forth for the propagation of his fears, this his assertion contains the gist of nearly the whole of his argumentation, and the germ of almost all his conclusions, and therefore demands, with reference to his treatment of the subject, which is not unlike that of other maintainers of the law of removal, a little further consideration.

Here, he says, as to this three-fourths of the pauper population, "that it is immaterial to the ratepayer whether paupers "of this class reside in the parish of their settlement or in "other places." If immaterial, it follows, as he here leaves it to be inferred, that the ratepayers will make no efforts, will neither trouble themselves nor others, to get these paupers to change their residences. Here we have, then, according to him, three-fourths of the whole pauper population enjoying a happy immunity from all vexation by cajolery, terror, or oppression, which he says is practised on the other fourth to drive them to other residences.

For

For of the one remaining fourth, the paupers chargeable by residence, he next alleges as the specific "difference" of their case, that they are subjected by the administration of relief to a great variety of persecutions as inducements to them to change their residence, and so represents their case as peculiar and as different from, and worse than, that of the other three-fourths chargeable by settlement. Having arrived at this result, he next asserts that if settlement be abolished, all the paupers will then be in the like condition as that which he has described as now the unhappy peculiarity of the paupers chargeable by residence; and then he prophesies that all paupers will become subjected to the persecutions now, as he implies, confined to the smaller class. So his whole seeming argument against the abolition of removal is founded on this his present assertion, that the "residence" of paupers chargeable by settlement is "immaterial" to the ratepayer, and his tacit inference therefrom that the ratepayers are in a state of indifference, and make no efforts to transfer their residence elsewhere.

—its refutation;

Yet is this assertion not only unfounded, but it is to be shown that it is in almost every particular, and in almost every consequence deduced from it, nearly the reversal of what might be correctly asserted; being, in fact, the attribution to one of two classes of paupers of the characters which more particularly belong to the opposed class.

For a settlement can only be made by "residence." The settlements of married women and of children, and all other derivative settlements, are eventually derived from the "residence" of the person who made the original settlement. A settlement once effected is the ground of the liability of the parish for both the present and the prospective relief of the settler and all his family, and of all his progeny for ever, or till he or they make a new one. This indefinite liability is the true measure of the ratepayers' interest in the "residence" of the three-fourths of the pauper population chargeable by settlement.

On the other hand, chargeability by residence, a newly-created liability of parishes, is, as to a portion of the paupers, only a temporary privilege, expiring within a year, or on other contingencies, and as to all paupers is continuous only with their continuous residence, and ceases with it.

Whatever, then, the probability or average of the duration of this continuous "residence" is, such is the measure of the amount of the whole series of ratepayers' liability as to paupers chargeable by "residence." Whatever the probability or average

average of the duration of a settlement once gained, such is the amount of the whole series of the ratepayers' liability as to paupers chargeable by "settlement." The proportion is nearly that of a temporary to a perpetual liability.

And so all ratepayers, notwithstanding the writer's implication to the contrary, have always known it to be. The whole law of settlement, for the 200 years of its existence, has been one unbroken history of the efforts on the part of the labouring people to make good a residence and a settlement by fair means or foul, and of the law to defeat these efforts, and, worse still, of "landlords," of "ratepayers,"of parish officers, by contrivances under the law, and against the law, by razing habitations, by factitious hirings, marriages, apprenticeships, by unnatural artifices in the arrangements of tenancies and personal services, in short, by innumerable, but universal, and most fatal contrivances,* to prevent and to discontinue the residence which would have made or kept a settlement, and which being shifted, may serve to shift the settlement, and all its incidents and consequences.

And this, although cotemporaneous with the whole history of settlement, is not such a phenomenon of ancient times, that any one may be excusably ignorant of, to say nothing of the vast amount of evidence collected by the Poor Law Commissioners of Inquiry, and described in their Report, or of the summary given in my Report.† It was only seven years ago, before the creation of residential irremovability, that the Poor Law Commissioners found it necessary to recommend a measure to make it a penal offence for any officer of a parish to procure the departure of any person from the parish, with a view to effect a chargeability elsewhere; and it was only in the year 1846, by the very same Act which enacted the residential irremovability, (9 & 10 Vict., c. 66, s. 6,) that this measure was passed; and it was only the other day, on the 8th of August 1851, that it was again under legislative consideration (14 & 15 Vict., c. 105, s. 11). The universal conspiracy against the settled poor began 186 years before the class of residential poor was created, and there has never been a cessation for a day of the evil, or of its recognition, in the whole 200 years since the law of settlement was introduced.

Nor is the writer, indeed, unaware of it; for he says, "generally speaking, it is immaterial to the ratepayers, "whether

* *See* my Report and Appendix, &c. *See* especially the preambles to 13 & 14 Chas. 2, s. 1; 1 Jac. 2. 17, s. 3; 8 & 9 Wm. 3, c. 30, s. 1 and 3 (certificates); 12 Anne, c. 18, s. 2; 22 Geo. 3, c. 83, s. 41.

† *See* my Report (87)

" whether the paupers of this class" (chargeable by settlement) " reside in the parish of settlement or in other places, " *although* the chance of employment, or of the *loss of settle-* " *ment occasionally attending non-residence, is sometimes a* " *consideration.*"

" Sometimes a consideration,"—as if the change of residence, the indispensable condition of a change of settlement, the actual origin of every settlement in existence, and the only means of shifting either the settlement or the chargeability, by which both the present and the future chargeability of a pauper, and all his dependents and progeny, and their dependents, for indefinite generations, would be avoided, was only " sometimes a consideration," scarcely to be recognised; while the like change of residence of a pauper chargeable by residence, by which nothing but the chargeability contingent on his continuing residence could be avoided, were a universal and constant consideration, of such preponderance as to determine, as the writer uses it, the whole question of the repeal or retention of settlement.

It will now be seen that the existence of any such happy class, as the imaginary " three fourths of the pauper population" whose place of residence is " immaterial to the ratepayer," whose present felicity it is to be obnoxious to no vexations to induce them to change their residence, whose happy condition it is so much an object of the philanthropist to preserve, that the law of removal must be retained lest it should be disturbed, is altogether an agreeable fiction, and that whatever is built on this foundation is, like itself, a visionary fabric.

Alleged interest in dispauperizing these paupers;—

4. The communication proceeds, " the clear interest of the " *ratepayers* in regard to *this class* is to make it self-support- " ing. If it must be conceded that this interest has only of " late begun to be understood, it must, on the other hand, be " admitted that the operation of it is now rapidly developing " itself."

Passing over the objection that there is no such class of paupers as is here described, whose place of residence is a matter of no concern to the ratepayers, we will at once examine the alleged " difference" of the class of paupers chargeable by settlement, —" the clear interest of the ratepayer " to make this class become self-supporting."

Conditions of independence of the poor;

For a pauper to become self-supporting, implies necessarily two conditions; first, that, with opportunity, the pauper should have a personal ability to earn his living, *i. e.* be either able-bodied or able-minded in such a degree as to have somewhere a value equal to the cost of his maintenance; secondly, that the pauper

pauper should be in a place where his ability, whatever it may be, has a market where it can be employed at such a profit as to enable him to live.

not applicable to this "class;"

It must be manifest that no interest of "ratepayers" or others can possibly make of a pauper, impotent in mind and body, "become self-supporting;" yet the impotent paupers, including the extreme young, the old, the sick, the lame, the blind, the insane, and a multitude who, from incurable defect of mind, body, or character, have not at home a marketable value equal to their cost of their maintenance, constitute by very far the largest, although undistinguished, portion of the writer's so-called first division of "the pauper population." How many of this his present "class" could by any possibility become in the parish of their settlement "self-supporting?" a fourth part? a tenth part? The writer, or some of those who hold his opinions, would have done well to say what part, (for it ought to be much larger than they who have only ordinary information are likely to surmise) if it is to justify his policy of binding by settlement, not only the whole of the rest, the great majority of this class, but all independent people too, to their parishes.

but only to a fragment of it;

To make short work of this, we may admit, at a guess, that of the adults, a good many; of the male children, the larger portion; and of the female children, also a large portion may in time become able, under favourable circumstances, to support themselves, and to be liberal beyond the chance of cavil to the writer's views, we will, for argument, allow them to be a third of the whole of his present division. On this extravagant admission, they would still be (one-third of a 30th part) but one-ninetieth part of the population, for whom he can hope that the "ratepayers' interest," or any other influence whatever, could, even under favourable circumstances, render them "self-supporting." It is impossible, however, to grant to him, what throughout his description he assumes, that the whole of his present class of paupers, the whole thirtieth part of the population, can be rendered by "rate-"payers' interest" self-supporting, under any circumstances whatsoever.

assumed value of this fragment.

Having then allowed, as possible material for his operation, a third part of his "class," or one-fourth part of the "pauper population," or one-eightieth part of the entire population, say 210,000 paupers, men, women, boys, and girls, as having personal capacities, some time or other to become self-supporting, it follows, that the residue of this class, physically incapable of self-support, whatever their number, (say 420,000), must be

adandoned

abandoned by him, as wholly beyond the reach of the "ratepayers' interest," or any other influence; and he must allow, that to this extent the generality of his expressions, by which he appears to claim the whole of this class as dispauperizable, is insupportable; and thus falls away his second "difference" of this his first division of the "pauper population."

And whatever may be the facts as to the part of his class who are incurably dependent, many of whom must, for their lives, (while the law of settlement subsists), remain burdens to the parishes of their settlement,—it must be apparent that the assertion, that "it is immaterial to the ratepayers" where the paupers reside, must be most absolutely denied, as to those who have capacities to support themselves, and to whose independence, residence in a place where their labour is marketable, is indispensable.

THE RATEPAYER'S INTEREST AND POWER (5 to 16):

How he would make this fragment of his class self-supporting;

5. However, granting to the writer one-fourth of this portion of the "pauper population" as having capacity to become self-supporting, we have to observe that he proposes, that they and all the rest of the population, perhaps eighty times their number, shall be tied by settlement to their parishes, as the best available way to make this one-eighteenth part self-supporting.

his operation on the pauper;

It is important to consider the means he thus advocates for making them "self-supporting."

To begin with his pauper as pauper. He is by the supposition in a place where he is not in independent remunerating employment. His strength, his skill, his habits, his character, are by actual experiment shown not to have made him "self-supporting" in that place, at least. The "ratepayer" has always hitherto had the same "interest," that this pauper should become "self-supporting;" but hitherto the settlement and the resulting "ratepayers' interest," have, on the trial of a whole life, found, or made, or at least left him a pauper. Able capable people, such as have a personal aptitude to become self-supporting (who are here alone in question) are not commonly paupers where employers want hands, and the dispauperizable pauper is therefore, in all probability, in a place where other paupers want employment as well as himself. Worse than all, he is most probably in a parish (in such alone are able people commonly paupers) where even independent men have to struggle hard against each other for a share in the scanty employment.

Yet this is the parish the writer, and all advocates of settlement, would still bind him to; they would bind him by settlement

settlement to this parish, and they would bind to the same parish, by the same tie, his fellow paupers, rivals for the already deficient employment; and they would bind to the same parish, by the law of settlement, his yet more formidable rivals for employment, the still independent but redundant workmen.

MARKET FOR LABOUR: ITS CIRCULATION: MIGRATION: (5 to 11):

Half England wants hands. In more than half of England wages are one-third higher, and much more constant than in the other half. In parishes within a day's journey asunder, and to be reached at the cost of a week's wages, these wages differ from 6*s.* 6*d.* to 16*s.* a week. A remove of a day's journey in England would make more difference in the condition of the labourers of one parish than a voyage of a month across the Atlantic, or of four months to the antipodes, would make in the condition of the labourers of another.*

the efficacy of the "ratepayer's" interest as a means of dispauperization;

But the writer says "it is immaterial" where these paupers reside, and he implies, inasmuch as he would keep the law of settlement for all, that it is equally immaterial also where the independent labourers reside. He proposes to keep the pauper in his pauperized parish, still to contend with his rival pauper and the independent rival, and that they shall still be kept there by the same bond to contend with him, all for the sake of preserving the ratepayers' interest in his "becoming "self-supporting."

Is, then, the "ratepayers' interest" so pre-eminently beneficial, so efficacious beyond all other interests of the world? Is a man's interest in himself and his family for years, for life, to the whole extent of his and all their value, so little, that eighty people's interest in themselves, to get into the best situations in life which their knowledge allows of, is to strike the beam, when compared with the "ratepayers' interest" in the one dispauperizible pauper?

Are eighty people to be kept asunder by the law of settlement from each other as employers, as servants, as producers and consumers, because of the more beneficial operation of the "ratepayers' interest "in the self-supporting" of this one pauper? The advocates for settlement, as represented by this their able representative, say they are.

Then what can a "ratepayer" do, that is so much more efficacious

* The wages which least differ and which are universally the lowest of any—agricultural wages—differ in England from 6*s.* 6*d.* to 16*s.* a week; and where these wages are highest, clothing and lodging are most abundant and cheap, and food is more various, and at least as cheap.

efficacious and beneficial, even for this one pauper, than all that can be done otherwise? A ratepayer in Wiltshire, for instance, or in any other district of depressed labour,—for it is scarcely worth while to consider others while these remain,—what can he do to make his pauper self-supporting? A sufficient answer might be, What has he ever yet done? But what can he do, now that, as this writer says, his "interest "has begun to be understood?" Can he, without increasing the sum of employment, employ his pauper? If he does so, he displaces some other and better labourer, and so makes another pauper, and loses on the quality of service. Can he improve his pauper in strength, intelligence, skill, or industry, so as to make him a more profitable labourer? Such processes are slow and costly, and not very likely to be undertaken by a ratepayer, whose object is, by the very hypothesis that his "interest" as a payer of rates governs him, not to increase, but diminish his immediate expenses about paupers, and the less likely to be undertaken since the improved service, when brought to its higher value, would be as available for another employer as for himself. But could not the ratepayer add to the present sum of employment in the parish? Of all men, the ratepayer of a parish oppressed with pauperism, is just the least able to do so. The burden of pauperism has always diminished, and always must diminish, the means indispensable for the extension of industrial occupation. But allowing to the writer that his prognostic of a change in the views of ratepayers in this respect is correct, why wait for the "operation now "rapidly developing itself?" His "ratepayer," in a parish where intermittent wages are 7*s*., cannot at once raise them to 10*s*., still less to 15*s*., and give corresponding employment to women and children too. If he could possibly do this, it must at all events be done by degrees, and while the grass grows, the steed starves; while the augmented employment is preparing, the pauper at home famishes, and the distant capitalist is obstructed; and all this while the ratepayers' proposed work is ready done to his hands elsewhere, not only for his one pauper, but for all his independent neighbours, at a distance of half a day's journey, done by the wholesome operations of nature, the existence of mines, manufactures, trade; by difference of soil, climate, situation, or some or all of the healthy influences which have always hitherto acted so, and may be reasonably hoped to continue, and not by the factitious and imposed "interest" of the ratepayer, which hitherto at least has never been found effectual for any but the reverse operation of making self-supporting men into paupers.

compared with other natural influences;

And

And we must remember that this opportunity in the distant parish is available not to the one dispauperizible pauper alone, but to all of the eighty other parishioners to whom it is desirable; that if it takes away an independent labourer, whom the "ratepayer" cannot help, it makes way in his parish for the employment of the pauper; that whereas the ratepayer can only operate on the one hopeless pauper, the distant employer can operate both on him and his independent rival, and by operating on either, benefits them both, and the ratepayer to boot.

Yet is this present opportunity to the pauper, and to the multitude of depressed labourers in the same parish,—this present relief to the "ratepayer,"—this possible benefit of supply of labour to the distant employer and the place that wants it, all to be rejected for the sake of keeping up the imaginary benefit of the operation of "the ratepayers' interest" in one pauper out of four paupers, or out of a population of eighty persons? It is simply to cause and persevere in a proved mischief, the burden of local immovable pauperism, for the chance that those who are hurt by it may invent a remedy for it. Better, surely, to avoid the mischief altogether.

Migration of labourers, and the writer's objection to it;—

6. It may be objected on the writer's side, (for the advocates of settlement often assert it), that migration must have a limited operation in reducing pauperism and liberating industry.

He himself says elsewhere, "Even the favourite proposal of "promoting"—(no, of allowing)—"the *free circulation of* "*labour*, the main reason alleged for abolishing settlement, "appears to me to be but little better than *a temporary* "*expedient*. If recent legislation has left any practical re- "striction upon the movements of the *bonâ fide* labourer, the "amount is but small, and the advantage of its removal would "be quickly counteracted by competition from augmented "population."

It is certainly not safe to reckon on any vigorous or extensive migration of English paupers or labourers, as an immediate or proximate consequence of the abolition of the law of settlement. The habits begotten by that law will probably not be so soon eradicated as might be wished.*

—worth examination;—

Still, as every one, including this writer himself, appears to expect that some additional circulation of the population would result from the repeal of settlement, it may not be to lose time to look more closely at some of the facts which indicate, however imperfectly, the ground of the expectation, and the probable and desirable extent of the operation.

7. It

* *See* my Report (80. 98.)

Local variations in the rate of wages;

7. It will be borne in mind,* that even in the simple industry of agriculture, wages differ in different localities in England to an extent incredible, and but for the settlement laws, impossible in so limited an area. Omitting such extremes as 6 *s.* a week in some places in South Wiltshire, and 15 *s.* in parts of Lancashire, and 16 *s.* in the West Riding, and confining our observations to whole counties, there are extensive districts, containing many counties, in which the wages of this worst remunerated of all labour, that of the agricultural labourer, differ from each other by more than fifty per cent. For instance, compare—

	Population. (Census Return, 1851.)	Average Agricultural Wages. (Mr. Caird.)
		s. *d.*
Cumberland - -	195,487	13 –
Lancashire - -	2,063,914	13 6
Cheshire - -	423,434	12 –
West Riding - -	1,339,962	14 –
East Riding - -	254,184	12 –
	4,276,984	12 11 † Average.
With—		*s.* *d.*
Gloucester - -	419,475	7 –
North Wilts } - -	241,003	7 6
South Wilts }		7 –
Suffolk - - -	335,991	7 –
Cambridge - -	191,856	7 –
Berks - - -	199,154	7 –
Dorset - - -	177,597	7 –
	1,565,076	7 1½ † Average.

Here

* Mr. Caird's labours will throw a clear light over all this part of the discussion. His facts, calculations, and reasonings upon the whole subject of agricultural employment and wages, and upon their relations to pauperism, appear to me the most valuable contribution to this subject that has been made by any man or any means that I am acquainted with. *See* his letter in the "Times" of the 26th December 1851, *passim*, or if published, as promised, his book.

† This is stated most unfavourably for my argument; for if due weight was given

Here is to be seen, as in one picture, about a fourth part in population of all England and Wales, amongst whom the average of agricultural wages is about 13*s.** and here is seen in contrast another portion, about one-twelfth part in population of the whole, and little more than one-third of the former portion, amongst whom the average agricultural wages are 7*s.* 1½*d.*; in the district of the larger population, eighty per cent. higher than in that of the smaller. But this is not nearly all; for in the larger portion, there is nearly constant employment for men, and very abundant employment for women and children; and, what is no small consideration, an infinite variety of wants, occupations, habits, and enjoyments, which afford employment and reward for every variety of age, sex, strength, aptitude, talent, or genius which may be found in a labourer or his child; while, in the smaller territory, employment is more nearly of one unvaried character, in that is more intermittent, and for women and children is next to none; a difference which, of itself alone, would probably make the average earnings of the labourer's family, in the one district, more than double those of the other.

In the district of high wages, we have, as will be seen, their natural concomitants—low poor-rate and little pauperism; and, still more important, we have the least possible effect of the law of settlement, which here certainly restricts the motion of no able man, woman, or child, either by present intervention, old association, or fear of future removal. In the district of lowest wages, on the contrary, we have all the phenomena of pauperism at their extreme, and amongst them the greatest stagnation of its population, the greatest jealousy against immigrants, and the most stringent operation, both physical and moral, of the law of removal. In reference to these latter facts, we may be allowed, for shortness, —and not as absolutely, but as approximately, true,—to designate the one as "the district of free circulation," the other as "the stagnant district."

Intermediate between these extremes are such cases as those of—

Northumberland

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given to the respective proportion of wages in this group, to Lancashire and the West Riding, which are six-sevenths of the whole population, the average wages of the whole group is 13*s.* 3*d.* Similarly, of the opposed group, the average wages are lower than the amount shown in the tables.

* *See* preceding Note.

	Population. (Census 1851.)	Agricultural Wages. (Mr. Caird.)	
		s. *d.*	
Northumberland -	303,535	11 –	
Durham - -	411,532	11 –	
North Riding - -	194,624	11 –	
Derby - - -	260,707	11 –	
Sussex - - -	339,428	10 6	
	1,509,826	10 11	Average.

where, amongst a population almost as great as that of the most depressed counties, the farm-labourer's wages average 10*s.* 11*d.*, or fifty-four per cent. more than in the latter; while here, also, his family is a source of prosperity, instead of a simple burden.

Again, this group—

	Population. (Census 1851.)	Agricultural Wages. (Mr. Caird.)	
		s. *d.*	
Notts - - -	294,438	10 –	
Northampton - -	213,784	10 –	
Lincoln - - -	400,266	10 –	
Stafford - - -	630,500	10 –	
	1,538,988	9 10½	Average.

includes another district, about equal in population to that of the above depressed districts, where wages are nearly forty per cent. higher, and where, beyond a doubt, the earnings are both more constant and at least proportionally increased by the earnings of the family.

In the rest of England the wages would appear to average about 9*s.* 6*d.* a week.*

8. These

* Mr. Caird, *ubi supra*.
It is open to every one to pursue the comparison throughout the country. For sake of succinctness, to spare and to fix attention, which would be fatigued by a development

favourable aspect of this contrast;

8. These differences, wholly unknown in any other country, are all the more remarkable, because *the greatest earnings are offered where the population is most dense*, and where the effect of an addition of hands is least felt; while, on the contrary, the depression of the wages, and of the condition of the labourer, is greatest in that population upon which the smallest increase or subtraction would produce the greatest proportionate and positive effect. Our situation would be hopeless indeed, if the great population were the depressed population, the prosperous one the smaller; for in such a case a movement of the depressed population upon the more prosperous would involve the happier few in the common evil, without a hope of sensible relief to the greater number; as when we turn the ditch into the river, the slough is drained, and the stream flows on in ampler majesty; but if we turn the river into a ditch, we have a deluge and devastation.

smallness of the migration required;

But here our present case is seen to be as hopeful as it is remarkable.

Taking the six counties where wages average 7 *s.* 1½ *d.* a week, and taking their pauperism as shown on the 1st of January 1851,* we shall find it as follows:—

	Total Number of Paupers, 1 January 1851.
Gloucester - - - - - -	21,428
Wilts - - - - - - -	21,692
Suffolk - - - - - - -	26,181
Cambridge - - - - - -	15,267
Berks - - - - - - -	13,205
Dorset - - - - - - -	15,517
TOTAL - - -	113,290

Here

development of the details, and of those subsequently connected with them, in relation to the whole of England and Wales, I will henceforth confine my remarks to the first groups of counties, where the highest and lowest extremes of wages respectively prevail, and which I have designated as emphatically the "free," and the "stagnant" districts. I have myself carefully examined the connected results in all the intermediate cases, and find them parallel throughout, and in a remarkably strict proportion everywhere to the data given here, only, of course less striking in all respects as they recede from the extremes.

* Third Annual Report of the Poor Law Board, p. 133.

Here is a total pauper population much inferior in number to what was passed into Liverpool from Ireland, and not much greater than what was left there in the first four months of 1847.* It would not have been then so very desperate a case, if instead of 320,000 Irish, in the last state of wretchedness, the northern counties, even in so terrible a year as that, had received the whole of the 113,000 decent and civilised paupers of these six English counties.

and this not of paupers;

So grave an operation, however, is not the one that is really in question. To relieve all the reclaimable paupers of a district, to raise its wages to the average level, it is not necessary that one actual pauper should move from it, or that any large proportion of its population should migrate.

It is well and generally known how small a surplus, proportionally, of labour, or of any other saleable commodity, is sufficient to beat down the price of the whole offered in the same market; in a parish where the wages are 7 *s.*, and are casual, and where every labourer is occasionally a pauper, it is by no means the fact, that the whole of the labourers, though all be paupers, are in excess. A very small portion taken away would leave to the rest constant, instead of casual, employment, and would make the occasional exertions of women and children valuable. Thus it is that everywhere an excess of a few paupers depresses many more. Conversely, the removal of a few is all that is required to make many, before depressed, capable of self-support.

Continuing, then, to allow to this writer, and to those whose opinion he represents, that one-fourth of the paupers may by some means "become self-supporting,"— it by no means follows, if this effect is to be looked for from migration, that the whole of this one-fourth of the pauper population, or that an equivalent of the self-supporting population, should migrate. But one-fourth of the entire pauper population of the district where intermittent wages are less than 7*s.* 6 *d.*, would be less than 30,000 persons of all ages and both sexes, and would probably be dependent on about 6,000,—say 8,000,— adult heads.

As before said, it is not necessary that one pauper should move, in order that another pauper should obtain employment; on

* See Mr. Rushton's Evidence before the Select Committee of the House of Commons, 1847 (370 *et seq.*), where he shows, that of the 151,402 persons landed in Liverpool from Ireland between the 15th of January and the 15th of April, about 30,000 remained in Liverpool and the adjacent country, and that the numbers were then increasing in a much greater degree.

on the contrary, the best means for a pauper to come into use at home is, that some independent labourer should move away, and so make place for him. The strenuous independent labourer is the most resolute to obtain work, the most effectual to displace the weaker man and beat down his wages by dogged competition. It is the competing labourer confined to the same sphere who keeps down wages; it is only competing labourers within the same limited and insufficient market who drive feebler men, still able and willing to work, out of remunerative employment, and into pauperism. Let the least incumbered, the most vigorous, enterprising, and versatile man find a preferable occupation elsewhere, and then even the feebler and least efficient would everywhere command, where the land is tilled or any occupation carried on, a livelihood in return for his labour.

It is, then, far from necessary that paupers, or that the most incumbered or the most reduced people, should migrate. They who would from want of energy, or excess of incumbrance, be the most reluctant, and the last to move, are also those whom it is least desirable to allow to move. They would be the least willing and the least able to command success amongst the more vigorous population, and the strange and varied circumstances in which the change would place them. And the subtraction of their feebler energies from the place they left would be a less relief to the glutted labour market there. Ten vigorous single unincumbered men migrating from a Wiltshire parish, would make place there for ten or twelve less vigorous men now paupers, with all their families, in number, may be, thirty, or forty, or fifty. Freedom of ten unincumbered men to double their own wages in another district, might convert double, treble, quadruple their number of persons from pauperism, from a burden to self-support, and to a course of participation in the production and enjoyment of a general prosperity. Taking, then, the previous estimate, that the reclaimable paupers in "the stagnant district" consist of, and depend upon 8,000 persons capable of labour—it is clear that the migration of somewhat less than that number of unmarried persons into "the free district," would make a gap more than sufficient to let all the capable paupers into self-supporting employment. The 8,000 persons, the most easy to move, and the most valuable when moved, would constitute an addition of one person to every 425 people in Lancashire, and the West Riding, or of one person to 535 people of "the free district."

9. It

9. It is not, then, the pauper alone whose liberty is of importance. Even to the paupers, the freedom of independent men is, as a matter of wages, of as much importance as to themselves, perhaps of more. It is not, then, by the pauper's own efforts, or by the "ratepayer's" efforts to make the pauper "self-supporting," that the effect can be most successfully attained; and, therefore, those who would repeal the law of settlement must differ with this writer and those of his opinion, who would retain its restraints, even upon the independent labourer, in the hope to preserve "the interest of "the ratepayer in the independence of the pauper." The maintainers of settlement would tie up both pauper and independent man to one limited and overstocked field of employment, in order to make the pauper "self-supporting."

The liberty of independent labourers the most important: the "ratepayer's" influence therefore inoperative;

They prefer to rely on "the ratepayer's interest," in preference to all the other natural and economical and moral interests and influences of the whole community. It may be asked, in what is "the ratepayer" then so much more powerful, so much more to be relied on, than all the rest of mankind? The writer himself admits, as indeed all men must do, that the ratepayer has hitherto been ignorant or negligent of his interest, has only of late begun to understand it. But allowing, as this writer affirms, that he does now at length begin to understand it, what is his power then to give effect to his better understanding?

the ratepayer's interest and power to reclaim his paupers;

It is not generally recognised in other business as a good plan to rely on an overweighted power, on the already overburdened beast, still less to put deliberately, and by preference, the heaviest weight upon the weakest power; such as are, in this matter, the most pauperized places. Yet it is of these, and not of the ratepayers of places burdened with but little pauperism, or none, that the writer must be speaking, —for where most paupers are, we must most desiderate their becoming self-supporting, and unless his remedy applies to these, his proposed remedy is no remedy.

Well, then, to take again for an example, on the one hand, our most populous district,—"the free district"—which has absorbed, does absorb, and must long continue to absorb enormous additions of population, though these additions be at present of the worst character, through want of the better supplies cut off, as we say, in great part by our settlement laws; where every industry is on the increase; where every occupation is a high road to opulence and prosperity; where a mere labourer is worth 13*s.* a week, and his family often as much; or, still more, where a child is commonly worth

more than an able-bodied adult and a good labourer is elsewhere; where, therefore, employers are not only more able in all other respects, but are less burdened,—taxed at but 6 per cent. on their rental for the support of their poor; where the pauper poor are but as 6½ per cent. on the population, or as one to 15½ independent persons. On the other hand, in "the stagnant district," we have a wide territory and a small population, which is and has long been in excess of the local means of profitable employment and without the command by unaided industry of the necessaries of life; a district which can bear no addition of people without a severe aggravation of the pre-existing distress; but which from its still comparatively small population would yet be most easily depleted of all its excess; a population at the same time gentle and submissive, with traditional habits of industry most desirable to all employers; where old industries have decayed, and new ones have not arisen; where a man is worth 6*s.* or 7*s.*, or 7*s.* 6*d.* a week, and his family less than nothing; where the "ratepayer" is already taxed 12 per cent. on his net rental or more, and where this rental bears a vastly larger proportion to an employer's means than anywhere else throughout the land; where, therefore, the ratepayers' capital, the fund of wages, is diminished; where the pauper poor are one in six or one in seven to the whole population. Yet this writer, and those who range with him to maintain the law of removal, would have us reject the ready benefit of the wholesome natural working of profitable enterprise, operating on all classes of men, employers and employed, throughout the whole community; and he prefers to this a reliance on the unfortunate "ratepayer" of this latter district, oppressed with more than double rates, and more than double numbers of pauper poor, in the midst of the most depressed of the independent poor; that he with vastly less means shall perform a vastly greater task; that he shall be kept to suffer under the infliction of pauperism and the dread of it, in order to spur him into an exertion to get rid of it; and for this purpose, that those most interested and most able and most happy to relieve him of his burden shall by the same law be kept aloof. We are to keep the bonds of settlement, and the burdens of pauperism on the most oppressed of ratepayers, as a means of compelling him to raise his paupers to independence, and we are, so far as settlement can do it, to reject the aid of those who are strong, willing, and lightly laden. We are to obstruct the natural circulation of the people, who are the life's blood of the one district, and maintain an artificial compression and destructive congestion in the other, in the hope that the disorder

disorder we purposely create and protract will stimulate its victim to devise some cure for it. We bind the deadweight of pauperism on the exhausted ratepayer, in the humane intention that he shall resuscitate it at the expense of his last remaining energies.

In our admiration of this bond of the helpless "ratepayer" to the hopeless pauper we are also to involve in its constraint the whole of the independent community besides, in numbers eighty times greater than the reclaimable pauper.

The writer's objection to the free circulation of labour as a "temporary expedient";—

10. But the same writer says what, in effect, many others say also: "The favourite proposal of promoting" [allowing?] "free circulation of labour, the main reason alleged "for abolishing settlement, appears to me to be little better "than a temporary expedient."

Hitherto, however, since the world began, the circulation of labour has served the world's purpose pretty well. If "temporary," it certainly appears as yet to be in tolerably vigorous operation wherever it is not artificially restricted. If "temporary"—it is like the spring or summer, it recurs so constantly, in its due term, that it seems to be no more temporary than time itself. As yet, new fields of industry, new extensions of old industry, appear to present themselves rather faster, and in greater abundance, than they can be supplied. Three thousand years of written history have not yet, so far as I am informed, illustrated the character of the circulation of labour as "a temporary expedient" for the populations. The various degrees of profit; the various kinds of employment for various kinds and degrees of strength, skill, and ability; the various natural differences of climate and soil, and produce; the varieties of natural and artificial wants,—all inducements for the circulation of industry, would appear in every successive year of the world's history to have an increasing power, and to command practically, where allowed to operate naturally, a constantly increasing obedience, and to be fraught with increasing benefit. Nor, without some clearer indication than the friends of settlement or the contemners of free circulation afford us, is it easy to perceive the manner in which, and the time when, the efficiency of these beneficent influences is to cease.

But if "the free circulation of labour" is a "temporary "expedient," what is the preferred alternative—settlement? Its history, in the form in which its favourers would retain it, is at the utmost of only 189 years', or counting from the introduction of the present system of removal, of fifty-six years', or counting from the introduction of the system of irremovability,

bility, of five years' duration. And, the present writer, himself, says, of the "interest" on which he relies for the reclamation of the pauper, that "if it must be conceded that it has "only of late begun to be understood, it must, on the other "hand, be admitted that it is now rapidly developing itself."

Knowing, however, nothing of this rapid development, but admitting it on this assertion, still, at any rate, it appears to be rather a new "expedient,"—indeed, not yet even new, but expected to be sometime hereafter; its past history none, its future not yet begun; and when it is to begin, what its duration is to be, is not told us. But the writer, in consistency, must hold that it is greatly to outlast, when it does begin, the "temporary expedient" of the free circulation of labour.

—that the restriction on the movement of labourers is now small;—

But he says, "If recent legislation has left any practical "restriction upon the movements of the *bonâ fide* labourer, "the amount is small, and the advantage of its removal "would be quickly counteracted by competition from aug- "mented population."

—that the advantage of its removal would be quickly counteracted;—

Of two contradictory things, one,—either "the amount of "the restriction is small," or it is not small.

The writer appears, as most of his adherents do, on occasion, to assume the right to maintain both of these contradictions at the same time, and even to affirm them both in the same breath.

He says, if the restriction on circulation by settlement is any at all, it is "but small." A "small restriction," a small compression, is followed, whenever the compression is taken off, by but a "small" expansion, but a "small" rebound. A "quick" expansion, a spring operating quickly, and largely, is irrefragable proof, in any philosophy hitherto accepted, of a proportionately great pre-existing compression. If, then, the restriction of settlement be so "small," as its approvers assert, its repeal could produce but a small effect in adding to competition anywhere by augmented population. And conversely, if "the advantage of the removal" of the restriction would, as they assert, "be quickly counteracted by competition from "augmented population," it would seem that they ought to hold that the present restriction also must be great, the removal of which would allow of so quick an expansion, so quick an increase of competition, and such a "quickly aug- "mented population."

Of course, it is impossible to concede both of these contradictory conclusions. But, in fact, it is difficult to admit either, and one of them will, on consideration, be found to be wholly inadmissible. That a "competition from augmented popula-

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"tion" due to the free immigration of labourers into prosperous districts, would be quickly generated to the extent of reducing wages to the level of the place they left, is not an expectation in any way consistent with any observed facts in the history of our industry. Facts abound everywhere, from Dorsetshire to the Orkneys, (indeed, throughout the world,) showing that stagnant, unenergetic populations become excessive even without increase; nay, even with a positive diminution of people. Facts, I believe, are absolutely wanting on the other side, to show that a circulating people has ever become excessive, that any place of immigration,—whatever other causes of decay it may have suffered from,—has ever been overwhelmed by an immigrating population. Looking at home, even Ireland, free from the bonds of settlement law, with all its vast, incessant, and demoralising contributions to the commercial and manufacturing districts of England, during two centuries of natural and artificial stimulation, has certainly not reduced English wages to the level of Irish, but, on the contrary, seems to have contributed its share to that general prosperity which has raised the level of wages in England even in the Irishman's special vocation, in the rudest forms of labour.* Nor does this writer, nor, so far as I know, does any other authority, point to any real fact, or semblance of a fact, in support of his anticipation.

But, on the other hand, that the "amount of practical "restriction on the movements of the *bonâ fide* labourer is but "small," is an assertion which it is also apparently impossible to reconcile with commonly known facts,—with the permanent disproportion in the supply of population to industry which, since the invention of the law of settlement, has always been prevalent in England amongst vast numbers of able people in a condition of pauperism, or verging upon it, confined within a day's journey of places where they are wanted in quite equal numbers, and where, without any other change to alarm their prudence, they would find double wages and constant employment.

The existence at this day in England alone, of all countries, of such violent distinctions in the condition of agricultural labour, (labour which of itself tends more generally than any other to level all distinctions of condition in those who practise it,) in spite of every facility which common habits of commerce, incomparable means of transport, the absence of all other

* *See* my Report (173 to 176.)

other barriers of police, dialect, race, character of industry, and, above all, in spite of the motives to escape from the oppression of invincible competition to a market practically insatiable, and where his worth and its rewards would be doubled;—all these incentives and opportunities, which when but few of them existed, and in a much inferior degree, operated on Englishmen,* as much at least as on any race of men in the world, now disregarded and neglected only by Englishmen, ever since they have had experience of the operation of the law of settlement;—all this appears to many of the best informed and soundest thinkers on the matter,† in the absence of every other explanation of the persistence of the English labourer in his contracted inertness, to be evidence, that the practical "restriction of the law of settlement on the "movements of the *bonâ fide* labourer" is not, as this writer says, "but small;" but on the contrary, that it is adequate, and alone adequate, to account for the *bonâ fide* labourer, who able to work, anxious to work, loving as other men do high wages and the comforts of life, unincumbered as he often is by family or connexions, having an opportunity in half a day's journey, at a cost of a week's earnings, to obtain all that he would desire in the way of wages, where his servile and pauperized dependence would be changed for a manly independence,—having all these and many other inducements to benefit himself, his present competitors, and employers, resists them all, and remains, generation after generation, sunken, unresisting, in some dismal slough of stagnant pauperism. We look in vain for any other solution besides this law of settlement; we do not find it in the nature of *bonâ fide* labourers in England before the law of settlement, but we find the contrary—his energy indomitable by four centuries of most stringent repression;‡ but we find that with the enforcement of this law his habits definitively changed. We do not now find a *bonâ fide* labourer of Wilts or Dorset as ready as he should be, as ready as his forefathers were without one half of his inducements, as ready as an Irish or Scotch labourer still is, to change his domicile in order to ameliorate his condition; we do not find any other people with so small a territory, with such facilities to move, with such a variety of employments, and yet with such a difference in the condition of the very same class of labourers, upon

* *See* my Report (173).
† *See* Appendix to my Report, Nos. 52, 74, 78, 85, &c.
‡ *See* my Report (15. 173.).

upon the face of the whole earth; we find no such want of spirit and of alacrity to change, not even in Russian serfs, as in the "*bonâ fide* labourer" of the old seats of English pauperism, and the present seats of repressed industry. If this writer is right in his conclusion that the operation of settlement in producing these effects is "but small," he no doubt knows the solution of these seeming difficulties, and his explanation of them would have added to the weight and value of his conclutions. Not having the benefit of his explanation, other persons will be still prone to believe that the only cause they know of, adequate to produce this effect, and which has been contemporaneous and co-extensive with it, is the real cause; and that as the mass of the stagnant *bonâ fide* labourers is unnaturally large, the restriction which makes them so great is not in itself "but small."

Nor does it appear that the evil effects of the restriction, any more than the restriction itself, can be considered as small. It is no small evil to any one *bonâ fide* labourer and his dependents to be restricted to a parish in South Wilts, where he, his family, and their energies, are actually a mischief. It is no small evil to all "the *bonâ fide* labourers," his competitors for employment; it is no small evil to the already pauperized labourer, whose independence is hopeless under his more vigorous competition; and when all the evils of his obsession of his own parish are enumerated, there is still another class of evil effects which are not small either; namely, those resulting to the place which might have his labour, but to which it is denied by the law of settlement. To this place it is no small evil that its land is less vigorously tilled, its mines less wrought, its manufactures less developed, its opportunities of commerce less prosecuted, for the want of the best hands otherwise attainable; and it is still less a small evil where the absence of the best hands makes even the worst hands welcome, where the demands of enterprise are only to be supplied by the offscourings of our own population, or the contributions of a people whose habits and example deteriorate all those with whom they come into habitual contact.

Asserted effects of augmented population;

11. "The advantages of the removal of any practical restriction upon the movements of the *bonâ fide* labourer would "be quickly counteracted by competition from augmented "population."

This is certainly an overwhelming fact, if it be a fact; but though so often assumed and asserted it may still very well be questioned.

The

—theoretical answer;—

The assertion assumes that the augmentation of population is of itself, and independently of other circumstances, the efficient cause of the depression of the condition of the labourer, of the reduction of wages and rewards of industry.

If this assumption were just, the misery of scanty populations, the prosperity of dense populations, the destitution of the savage, the opulence of the civilised man, would be unintelligible mysteries.

But were it not for the occasional assertion of the contrary, it might be said to be known to all men that one of the first causes of the productiveness of industry, out of which alone industry can have its rewards, is the numerousness of men; and that the demand for industry, the sole reason for any reward being offered to it, is again in very near proportion to the numerousness of productive men. In short, that industry, arts, the most productive combinations of wealth and industry, by which both the amount and permanence of the rewards of industry are secured, require, as their first condition, an ample population, and for their promotion and advancement, an increasing population.

In short, the requisites for a high rate of reward of industry is not a scanty, restricted, stagnant, or retrograde population as this writer and the maintainers of settlement assume. The true requisites are well understood to be a productive field of industry; in other words, occupations in which every labourer may by his industry support himself well, and add something continually to the common stock of wealth for the support of other labourers. While this is so, every man not only adds continually to the stock out of which he is to derive his own reward, but every man by his own contribution to that stock makes every other man's condition better and more secure.

The application of the principle is this: if, in a restricted and inexpansive field of industry, men be added, their individual value will be diminished; if in a diminishing field of industry men remain undiminished, or do not diminish as fast as the field of industry contracts, the men will be in excess, and they will mutually injure each other by competition, and their individual rewards will diminish, as, for example, in Wiltshire. But *è converso*, in an expanding field of productive industry, if men be added no faster than the field expands, or no faster than their productiveness increases, every additional man adds to the general prosperity, and to the funds from which he and all others must derive their reward, and so adds to the share of prosperity of each individual.

Accordingly,

Accordingly, we do not find, as the opposite argument assumes, that augmentation of population and diminution of wages are identical; and on general grounds it is necessary, in order to justify a prophecy of diminished wages, to show, not that population is to be augmented, but that the field of productive industry is to be proportionally diminished; in other words, it should be shown that the man competing and reducing wages in the restricted fields of Wilts or Dorset, will on his removal effect a greater reduction of wages by his competition in the more expansive fields of agricultural or manufacturing industry in other counties. Without this, the prognostication of augmented population is a prognostication of increased demand and reward for labour, the opposite of the assumption.

It may, however, be more satisfactory to examine this prognostication in detail. —detailed examination;—

It has three important aspects, as to which the writer leaves us by his silence in doubt whether in this assertion he contemplates either, or some, or all, or neither of them. But all of them are, at one time or other, apparently involved in the assertions or assumptions of the maintainers of settlement, and each may therefore fairly claim its answer. —first, in the migrant's own case;—

There is, first, the "*bonâ fide* labourer's" own case. The restriction of settlement upon locomotion ceasing to operate, we will suppose that he leaves the parish of his settlement, where he has, by hard striving, occasionally got the standard wages, say of 8*s.* a week, and he betakes himself to a parish where his labour is gratefully rewarded with, say 12*s.* a week. Has it yet occurred in the history of English agriculture that wages have been reduced by English, Irish, or Scotch competition, in any place whatever, by thirty per cent., or from 12*s.* to 8*s.*?—or is it possible, if all the surplus labourers of the depressed districts were to migrate, to effect such a reduction? This result is so unlike anything that has ever been seen even under the most deteriorating effect of the English poor laws, that it may be safely concluded that it is not to be looked for. So far, then, as the migrating labourer is individually concerned, I must not impute to this writer, as he does not say so expressly, that he means that the migrant in his own lifetime would be deprived of the benefit of the change; that his constant 12*s.* would, in his own individual case, be reduced by competition to a casual 8*s.*; and it would be the more unjust to attribute to the writer such a meaning, which clearly implies a very considerable extent of migration, where he, in this very passage, says the operation of the present restriction on circulation is "but small."

But the writer may possibly mean that the "augmented

"population"

"population" will be produced by the multiplication of the progeny of the immigrating labourers. As to this, it must be observed, that in places where the wages of adults are highest, the naturally favourite resorts of the migrating *bonâ fide* labourer, there also the wages of children are greatest and most constant. In such places his children are less a burden to him than in the place he would have left; but when they grow up to maturity and emancipation, his own children become his rivals, and beat down his wages. Here, again, the answer is found in the history of industry. There is no instance of wages having been so reduced, or reduced at all, in any entire community merely by augmented population. Populations made stagnant, whether augmented, stationary, or diminishing, are often deserted by their customers, or outstripped by their rivals; but no community as yet has suffered reduced wages merely from augmented population. It is not their mere excess or augmentation of population that now makes Wilts, or Dorset, or Cambridge bad markets of labour; it is not the diminution or stationary numbers of population that makes Cumberland, Northumberland, Durham, Yorkshire, Lancashire, and all the other well-paying districts, what they are, the best existing markets of labour. Five centuries of unintermitting increase of population, both by home procreation and by immigration into England, has not yet counteracted by augmented population the progress of the increase of wages. Why should one apprehend that a few thousands of *bonâ fide* labourers migrating from some of our agricultural counties will be sooner deprived of the benefits of these better wages by augmented population, than the tens of thousands of Irish and Scotch who have incessantly passed into the same districts, and established themselves and their progeny there? It is hard to find a reason why the benefit to the English migrant alone should be so much more quickly counteracted.

—secondly, upon the parish quitted;—

Then there is the second case, that of the parish of his settlement from which the *bonâ fide* labourer migrates. He thereby relieves the ratepayer from his now constantly impending pauperism, his competitors from his rivalry, and his removal more than leaves room for the remunerative employment of a pauper, reduces the rates, and so adds to the fund for the payment of independent labour. Such are always the expected and usually the experienced results of emigration on the district relieved of its migrant population. All emigration contemplates on the part of the mother district some such advantages, and although the full benefits have in many cases not been experienced, yet emigration has in all ages and places

places been found to be a true remedy for excessive population. The emigration affords the opportunity for those who remain at home to make permanent changes in occupation and arrangements not possible under the continuing pressure of an excess of population. The instances in which a new and prosperous career has been commenced by aid of a depletion of population abound, and dispense me from enumerating particular cases, the evidence of which I have not at this moment at hand.

—the assertion attacks all emigration, all circulation of men;—

But, in all cases of emigration, this writer's objection applies equally; the benefit of the depletion may always be "counteracted by augmented population." There is no influence assigned by the writer, or by those who argue as he does, nor that I can imagine, which will cause the void left in his parish by a Dorsetshire labourer's migration to Middlesex to be more quickly filled up by augmented population, and the consequent benefit more quickly counteracted than if he had emigrated to Canada or New South Wales. On the contrary, his prosperous presence near at hand in England, must contribute more readily and directly to the prosperity of his parish in Dorsetshire, than it could do in the opposite hemisphere.

Whether, in fact, the benefit of the depletion be lost, and an augmented population be allowed again to overtake the depleted district before it has entered on an improved career, —a neglect, by no means a law of nature to be prophesied as a certainty;—or whether the remaining inhabitants take, as reasonable people would do, advantage of the opportunity to place their industrial arrangements on a sounder footing; still, in either case, the present generation must experience the benefit of the diminished pressure; and this must, too, be accompanied inevitably by a benefit, both to the emigrant and the place of his new settlement. In this interval, at least the existing generation is benefited, and the district which, without profiting of its opportunities, has again filled up the void, is still no worse than before. In the interests of the present generation, then, even if the result must finally be as disastrous as prophesied, we should be bound to accept a benefit to ourselves and our contemporaries, which would place our posterity in no worse condition.

Doubtless the augmentation of the population may be allowed to overtake the district, before it is provided for by amended arrangements; doubtless there is a theoretical tendency to a geometrical increase of population; and this increase, unaccompanied by improved application of industry,

would in course of time counteract any benefits. Yet those who most strongly insist on this tendency to this increase, and on its deteriorating effects, do not go to this length of rejecting even temporary palliations of the evil. They recognise even war, famine, and pestilence, as not without their advantages; the greatest professor of the doctrine looked on these, and almost on vice and misery, as ordinations of Providence for relieving excessive populations; for diminishing their otherwise incurable compression; for allowing a breathing time, and affording a recoil for a new spring of improved exertion, and an unburdened start on a new career of progress. They do not forbid to an old and populous community this relief from the compression of numbers, although it be to be purchased only at a grievous cost; on the contrary, they look on it as a benefit, repaying amply some of the heaviest afflictions humanity is subject to; unlike the maintainers of settlement, who will not accept it, even when it is at the same time pleasant to the emigrant, pleasant to the people he leaves, and pleasant to those he goes to.

—it attacks all modes of relieving excess of population;—

If it be the writer's intention in this place to describe the uselessness of migration to the place the emigrant departs from, as appears probable, and in which view he has no want of supporters, it is manifest that his assertion is at least equally adverse to all other modes of diminishing local congestion of population, as, in all cases whatever, augmented population, may again fill up the void. If his assertion be true without qualification, as he expresses it, then no colony in the world should ever have been planted for the benefit of the mother country.

—thirdly, upon the district of immigration.

And there is, thirdly, the case of the place to which, and the population amongst which the emigrant goes. So far as we know, as we have not yet discovered the real autochthones of any country, and entirely discredit the claims of those who pretend to be such, all, at least, but one of the inhabited countries in the world have been planted by emigrants from other places, and all such countries certainly have, in historical times, received additions, greater or less, of imported or irruptive population. England, as much almost as any in the old world, has been a constant receiver of new accessions to its population, whilst it is at the same time the one of all those countries which advances most rapidly by its own indigenous growth of population. Yet if this writer were to compare England increasing rapidly by both operations, with any other country in which the augmentation of population has been at all times less, he will not find that the elevation of wage and profets,

which

which have attracted the immigrants, have, in England, been "quickly counteracted by augmented population." Nor will he anywhere find in history, that immigration into a productive field of industry is attended with this danger. If this danger asserted by him were real, and if by "quickly" he means what is usually meant, England ought long since to have closed its doors against Irish, Scotch, Flemings, French, and all born beyond its bounds, and every improving and improvable district have refused from every other the hands it has, with a mistaken gratitude, taken for its increasing wants; nay, in the interests of the major part of its population at any moment, namely, its working people, every colony planted since the world began, should have refused to admit among them any after the first swarm.

Thus, this writer's assertion, and the somewhat prevalent opinion it embodies, as to the uselessness of voluntary immigration of *bonâ fide* labourers, appears, in whatever point of view it can be understood, to involve too much; to be true neither as to the emigrant himself, nor to his adopted nor to his abandoned domicile; and the supporters of settlement appear, in raising this objection to the "free circulation of labour," to reprobate the chief agency that has from the beginning been in operation for the settlement of the whole earth, the development of its capabilities, the propagation of mankind, the diffusion of prosperity, and the spread of knowledge, of arts, and of civilisation.

And it will be seen that this operation of spontaneous migration and circulation of labour, is not so contemptible an element in individual or national advancement, as to deserve to be thus entirely excluded from consideration in discussing the means of benefiting our people, whether we take into view the entire community, or, with this writer, confine it to that one-eighth part of them, the retrievable paupers now resident in the places of their settlement.

Recapitulation of I to II.

Such, then, is this writer's first class of the pauper population, and such the "differences" he predicates of them, that "it is indifferent to their supporters where they reside;" a difference shown to be inapplicable, not only to them, but also to all other paupers, and all other men, women, and children whatever; and such further is the pertinence of the assertion, that it is the interest of the ratepayer that these paupers should become "self-supporting,"—an interest as to at least two-thirds of the whole, the impotent from all causes—in an absolute impossibility; and as to the rest, "no difference" at all, inasmuch as those who maintain this or any other class

of able paupers, are equally interested in their becoming "self-supporting."

The writer's second portion of the pauper population, *those chargeable by residence;*—

12. The same communication next proceeds: "The remaining portion of the pauper population consists of persons "exempted from removal by recent enactment, and made "chargeable to the union comprising the parish of their "residence."

—incompleteness of his "division;"

As the writer excludes from his consideration all but "the "pauper population," and professes to dispose of these in two classes, connecting with the respective portions of the division the reasons for rejecting the proposed return to the ancient state of freedom, it would seem that it was at least incumbent on him to frame such classes as would include all the paupers. But, besides minor omissions, he by this classification excludes from his consideration, for no reason I can fathom, four large and important classes of "the pauper popu-"lation;" namely, all paupers unsettled; all paupers with undiscoverable settlements, and not the subjects of "the recent "enactment"; all paupers irremovable under the law previous to 26th August 1846; and all irremovable paupers resident in parishes or townships not included in unions. I point this out in the case of this able and well-informed writer, not as being a mode of discussion of this topic in any way peculiar to him; but, on the contrary, as being a mode very commonly adopted. It is almost, indeed, the universal practice of the maintainers of the law of removal, to make a show of disposing of the whole of the matter, putting forth a pretended classification of all the persons, and of all the interests affected, while in fact they only bring into view some such particular fragments of the whole, as most suit their argument, although these fragments differ specifically in character from all the rest of the subject-matter, and are, at best, but the subjects fairly of an exceptional argument.

—his "difference" of this division,— *the interest of the union in their non-residence;*—

He proceeds, "Where paupers of this class change their "residence, the union which they quit thereby becomes "*ipso facto* freed from the burden and duty of their support. "In whatever union they reside, that union has a direct "interest in their changing their residence."

This is put forward as the first "difference" of this second class of the pauper population. We have already seen (2. 3. 4.), that so far from its being the "difference," the especial attribute of this class, it is much more appropriately the attribute of the class opposed to it by the writer, that although it is true of this class, as of all paupers, that "their "union

" union has a direct interest in their changing their residence," it is an interest, the force of which is in this case measured by the prospect of the continuance of the residence, and is a very small interest compared with the like interest in a settled pauper's change of residence, who by that change may not only effect a temporary inamovibility for himself and family elsewhere, but may also, in addition, effect the vastly greater and more effectual and more desired change, a permanent settlement elsewhere, for himself and all his family and progeny, however and wherever dispersed, to all generations. What the distinction really is in the two classes of paupers,—the paupers chargeable by settlement and the paupers chargeable by residence,—may be truly stated thus: With respect to the paupers chargeable to a parish by settlement, they and all their progeny, wherever dispersed, may be for ever a burden to that parish; and nothing but their independence, or such a residence as would enable them to effect a settlement or irremovability elsewhere, can exonerate that parish from the liability; and their residence required for this is comparatively a long one, never less than a year. But here is a heavy and extensive liability of the parish to be got rid of by the independence or prosperous residence of the settler elsewhere. When a settlement is threatened by an existing unsettled resident, when a settlement is likely to be shifted by a settled man's residence elsewhere or a few days or hours longer, then is the hour of excitement, then is the interest, always a strong one, felt most intensely. Otherwise it is a chronic influence, not liable to be frequently intensified or relaxed, and a small change of residence for a few days is of no importance, as productive of no effectual shift of the burden. On the other hand, with respect to paupers chargeable by residence, the interest of the ratepayers of the place of their residence, although a small one comparatively, they being at the utmost involved only while the pauper continues resident, is liable to intensify and to relax. The main object is to prevent a continuous five years' residence; to break this five years' residence by an interval. This effected, and evidence of it secured, the man is as welcome as another to reside again another four years and 364 days; but towards the end of this time, the interest of the position on the side both of the resident and of both the parishes, that of the settlement, and that of his residence, is greatly intensified. One day may give him the privilege of irremovability, or defeat it; may make the parish liable to

his privilege, or may exonerate it. It is this varying intensity of the smaller risk which distinguishes the condition of the two classes. It is, as before demonstrated, wholly a mistake, and the reverse of the fact, to suppose that the interest in residence, does not exist permanently and in the highest degree in the case of the settled poor, and exists exclusively, or even equally, in the case of the poor chargeable by residence.

Having thus disposed of this attempt to attribute to this class exclusively, what is so entirely and emphatically the more proper attribute of the class fallaciously opposed to it, and which by this opposition is implicitly, but quite unjustly, deprived of this differential attribute, I will not further consume time in following up and displaying all the confusions grounded on this transposition of the respective characters of these opposed classes of paupers, or in disentangling the imaginary chain of consequences supposed to result from this imaginary opposition of interests, and from its supposed mode of action upon unions and upon paupers. These will now be manifest enough of themselves; and I shall merely cite the writer's descriptions, with this one observation, that whatever part of it is true in any degree as to paupers chargeable by residence, is *à fortiori* more true in its application to paupers chargeable by settlement.

—his inferences from this "difference" to be reversed throughout this series;—

—his descriptions of the persecutions of residential paupers;—

The communication then proceeds: "As they" (the paupers chargeable by residence) "cannot, however, be transferred to "other localities by legal process, or by mere force, induce- "ments of various kinds are held out to them to migrate "spontaneously. Sometimes they are bribed to go; some- "times they are helped on their journey, if they wish to move; "sometimes they are cajoled, if not terrified, into leaving; "and sometimes the discouragement they meet with in seek- "ing relief, or the inadequate or unacceptable relief offered to "them, induces them to quit their actual residence. These "motives are presented to irremovable paupers according to "their respective cases, and, I believe, to a considerable extent. "Much obscurity, of course, surrounds the subject; those "who share in these indirect practices being naturally but "little communicative, as their acts are an evasion, if not "frequently a breach, of the law. With regard to inferior or "inadequate relief being given to irremovable paupers to in- "duce

* See further *post* (14) as to the true measure of the interest of ratepayers in regard to casual poor, to irremovable poor, and to settled poor respectively.

" duce them to migrate, there can be but little doubt, that even " that means is occasionally resorted to, although there are " practical obstacles to its being very commonly adopted. " If different amounts of relief were given to paupers of the " two classes, settled and irremovable, the fact would distinctly " appear by the union accounts, and the strange contrast " would invite the strongest observations, if not positive inter- " ference. I believe that the difference of treatment more " commonly resorted to is, that whilst out-door relief is given " to settled paupers, under similar circumstances the work- " house is offered to those that are irremovable. Without " pretending, however, to describe the various forms of treat- " ment observed towards the irremovable poor, I assume, as a " fact beyond dispute, that very commonly it is unlike that " of the settled poor; and that the unions in which they are " treated on the same footing, form the exception, and not the " rule."

—his allegation of the obscurity of its operation;—

It has been seen above, that there has never been, during two hundred years, any " obscurity " or " doubt" about the modes by which the attempt was made to change the residence of settled paupers. It is not, however, to be wondered at that those who only see in such attempts the operation of the motive to get rid of paupers chargeable by residence, and who see none of the motive to get rid of the settled paupers, should find that " much obscurity surrounds the subject," nor that they should be unable to describe a difference which, if it exists at all, exists in the way which is the exact opposite of that they seek to find, and would have us believe.

—true limits of the operation;—

One portion of this description requires a more particular observation, as it is subsequently made the groundwork of a practical conclusion most important,—if sound. It is said that " with regard to inferior or inadequate relief being given to " irremovable paupers to induce them to migrate, there can " be but little doubt that even this means is occasionally " resorted to, although there are practical obstacles to its " being commonly adopted. If different amounts of relief " were given to paupers of the two classes, settled and irre- " movable, the facts would distinctly appear by the union " accounts, and the strange contrast would invite the strongest " observations, if not positive interference." Passing without further remark for the present over the general objection to these assertions, which will be disposed of hereafter, and also over the apparent contradictions to the effect,—that these differences are practised, and that they are not practised be-

cause of "practical obstacles" which exist equally everywhere and in every case,—and the seeming paradox that what is done only "occasionally" would less "distinctly "appear" by the union accounts, than what took place constantly, and without exception,—and passing over as perhaps sufficiently obvious many other inconsistencies, it may fairly be asked, whether it is meant to assert as a fact what is here implied as a fact? Are we to understand that there are now any "practical obstacles" to the practice here described? In all the years since 1834, in all the 600 unions, and the 15,000 parishes, in all the multitude of instances brought to the knowledge of the Poor Law Commissioners, the Poor Law Assistant Commissioners, the Poor Law Board, and the Poor Law Inspectors,—of inadequacy of relief,—of partial or deficient relief,—of improper grants,—of improper refusals,—of incompatibility and unfitness of the relief granted,—was there ever one single case brought to light by the "union "accounts"?—Could ever the "union accounts," as returned, possibly bring such facts to light? It is a certain fact that they have done, and can do, nothing of the kind, and all such facts are brought to knowledge by the actual complaints of the paupers made immediately by themselves, or by their friends or voluntary protectors. Are we to believe that this difference of treatment here spoken of, is practised on this part of the "pauper population," and that "this part" is in all its members dumb, or incognisant of the differences which have moved the other three-fourths so often to speak and write for themselves, and to find friends and mouthpieces in abundance? For my part, I admit my inability equally to understand the "difference" of treatment here described as practised, or the practical obstacle which is said at the same time to prevent the practice.

—is it desirable to continue it?—

But seeing that this well-informed writer has confessed his "belief" (which is shared and insisted on by thousands of other observers) in all these oppressions, this "bribery," this treacherous "help," this "cajolery," this "terror," this "dis-"couragement by inferior, inadequate, or unacceptable relief," these "indirect practices," this "evasion, if not breach of the "law," which he admits to be practised against the paupers chargeable by residence, whom he has estimated at but one-fourth of the whole pauper population, it may fairly be asked of him, and of the maintainers of settlement whom he represents, whether he would wish all this to be continued? Wishing, as he does, to retain the law of settlement,

would

would he do away with the recently acquired privilege of irremovability, the exclusive cause, as he asserts, of all this oppression, and so render all unsettled paupers again removable, however long and continuous their residence in a place not of their settlement? or would he retain this privilege, and so retain all these evils he describes still in operation against this peculiarly oppressed one-fourth of the whole pauper population? Retaining settlement, how does he propose to avoid the one or the other of these evils? As he does not propose any change of the law of settlement, it appears that he proposes to retain also these evils, which he admits to apply to one-fourth of the whole of the population to which alone he extends his observations.

—how discontinue it, and retain removal?—

But now, again, as besides this one-fourth of the pauper population, as to which the prevalence of all these evils is thus admitted, it is impossible for this writer, or any adherent of settlement, to deny that the very same motives to inflict the same evils apply in vastly greater force to the other three-fourths, where both present chargeability and hereditary and permanent chargeability are to be got rid of by the same means, and all this simply because of the existence of the additional element, settlement,—what will be their conclusion? Will they who so deplore the existence of the evil for one-fourth, still ignore it, as this writer has done as to the other three-fourths; or now that they must recognise it, will they be so obdurate as still to maintain it as to all these?

—how condemn it, and retain settlement?—

As this writer thinks the evil which he describes as applicable to one-fourth is a sufficient reason for determining the whole policy of maintaining or abolishing settlement, it seems plain that we have his implicit admission that the same evil multiplied four times as to numbers, and many more times as to intensity, is superabundant reason to determine the same policy, and that the fear of the extension of the minor evil being offered by him as an argument for the maintenance of settlement, the fear he must now have of the continuance of the greater evil, four times multiplied, will make him an advocate for the abolition of that settlement, which is the sole spring and cause of all the evil.

Force of his own assertions against his own conclusions.

However, as I have not the writer's admission of the force of his own arguments multiplied fourfold against his own conclusion, and as I cannot anticipate the force of this argument on his mind, or on the opinion of his adherents, I will follow out his train of observations under this head to their end.

13. It

Fallacious examples of the supposed operation of the abolition of settlement.

13. It appears to become almost hopeless in this discussion to remonstrate against the inveterate practice of the advocates of settlement of confounding together wholly different and opposite things, attributing to each the peculiar qualities and defects, the operations and the failures of the other. Still, for the purpose of preserving the entire congruity of the facts and reasonings on the side of those who favour the freedom of industry, and not in any hope of reforming the mode of arguing on the other side, I will again attempt to place this question of the effect of settlement as operating on the motives of ratepayers to relieve the poor fairly, or to treat them oppressively, in its true light.

The advocates of settlement almost all assert, or assume with this writer, that the operation of settlement is to secure for the poor man fair or liberal treatment from the ratepayer, and that conversely the absence of a settlement would subject the poor man to all those oppressions and cruelties which this writer has just described as being now practised on the residentiary poor: and, after this assumption, they prognosticate that, if settlement be wholly abolished, all the poor will be denied relief, neglected, persecuted, oppressed everywhere, as the residentiary irremovables now are. As to all this, it is in the first place to be observed, that these maintainers of settlement commonly select precisely that example which is not the example in point, and which, if it in truth corresponded in any respect with the description this writer gives of it, would still not prove, but would, so far as it had any effect, serve no possible purpose but to disprove their own argument. They do not take the case of the *unsettled poor*, the poor who are now altogether without a settlement, and irremovable on that account from any place where they are, as their example of what would be the result to all the other poor of being placed in exactly the same position of non-settlement. If they took this example, which presents even now, notwithstanding the controlling and counteracting influences and prejudices created by the coexistence of a general law of settlement, some of the real and unquestionable incidents of non-settlement and non-removability which the abolition of the law of settlement would make universal, they would at least be taking the one practical example which, under present circumstances in England, would most nearly correspond with the conditions they affect to illustrate.

There can be no difficulty about it, if they wish really to take

take that available example which is most exactly in point to their argument. Every union in England would supply one or more instances, and the "free district" would supply them with scores of thousands of instances, of families irremovable as having no discoverable or provable settlement. Persons so well informed on the practical administration of the poor-law as this writer, and with such opportunities as he shows himself to possess for procuring all information, could have no difficulty in producing the evidence as to this class of poor, if they thought it really favourable to their argument. Such persons would not be driven to express their convictions as to the treatment of these non-settled poor so doubtingly, so much as a matter of mere faith, as this writer does about the oppressions of the resident-iary poor. Yet plain, patent, and accessible, and, indeed, intrusive as the facts must be—pertinent as they really would be, more or less, to their argument, why do they, as this writer does, actually exclude this whole class of *the unsettled poor* from their "divisions" of the poor put forth (2. 12.) as exhaustive divisions—why are these poor, whose treatment would prove something in regard to their argument, treated in these discussions as if they did not even exist? I can conceive no justification for the suppression of the fact, and of all the evidence connected with it, but the absolute unconsciousness of its existence; and yet this unconsciousness is itself scarcely justifiable in any persons who now undertake to discuss this matter, after the expositions of the Commission of Inquiry and of the Poor-law Commission upon the subject of the non-settled poor.* Until these authorities are impugned, it will still be allowable to maintain with them that *the wholly unsettled poor* thus excluded from observation, but who are the most appropriate, and indeed the only examples which can be found under a general system of settlement of the practical effect on poor people of a state of non-settlement, are, as a matter of fact, the most free, the best relieved, and the least oppressed and harassed of any of the poor, and that this class being the only example in point, is entirely an example, so far as it goes, favourable to the views of those who would extend the same freedom from the restraints of settlement to all the rest of our population.

But

* See the references in my Report (74. 87.), and the citation of the Poor-law Commissioners' Report, *infra* (19).

But having thus excluded from their consideration the only pertinent example, it is quite consistent in the advocates of the law of settlement that they should select and put forth as their example of the operation of the repeal of that law of settlement, precisely the condition of that very class of poor, which is the most of all unlike what would be the condition of all the poor, when all were released from the bondage of that law. They select as their example the poor who, having one settlement in one place, have also acquired by residence in some other place a quasi settlement there, a temporary inamovibility from this second place also, where, while so inamovible, they and their families are, in most respects, as if settled there. To illustrate the operation of non-settlement on the poor, the advocates take the example of the condition of the poor who have at present the nearest possible approach to a double settlement.

These poor are just the class on whom the infliction of a continued settlement in the one place, and the merely suspended liability to immediate removal—the defeasible or quasi settlement in the other place, operate to raise the main operation of the law of settlement by, in fact, doubling it, to a climax. Being settled, and known to be settled in one place, that place is always looked on, as in truth it is, as the primary and ultimate legal recourse of the pauper; having such a settlement, he is looked on as essentially a stranger, an interloper, an accroacher, in any other place; and his temporary exemption from removal, his defeasible settlement, as an oppressive shifting of the burden of his relief from off the place of his settlement upon the place of his residence. As this exemption from removal is but temporary, and yet may by continued residence be indefinitely prolonged, to the grievous burdening of the place of residence, while on the other hand, by ever so short an absence of the pauper the exemption is defeated, with no other evil or wrong to the pauper but that of his becoming chargeable to what the law has made his own parish, "that of his being again," as these advocates of settlement say, "put into the enjoyment of his "privilege of settlement, and placed under the protection of "the 'interest' of the ratepayer in his settled pauper,' there appears to be something very like a vindication of the just rights of the place of residence in getting rid of the interloper, and something which the friends of settlement must, in consistency, consider almost as an ultimate benefit to the pauper himself, an act, indeed, of true charity in applying any

any of "these inducements to emigrate spontaneously," those "bribes," that "help on their journey," that "cajolery," that "discouragement in seeking relief," those "offers of inadequate "and unacceptable relief offered to them, to induce them to quit "their actual residence," when all these only result in renewing the immediate connexion of the pauper with his "own parish," with the "ratepayer," who is his legal provider, and who is so much relied on beyond all other men and things to make this pauper independent and prosperous. It is manifest that the existence of a settlement, while constituting a major claim on the parish of the settlement elsewhere, is both an artificial provocative to the ratepayers burdened with a residentiary pauper, and a very practical and plausible justification of the gentle acts of bribery and cajolery, and even of some stronger means which they may resort to for their own protection, and for the placing more quickly the burden of the pauper on the parish where the law has fixed the general and final obligation. Still between the two places, and the two settlements, the man is the victim of both, and his condition, so far from being an example of the state of a man without a settlement, is, in truth, the example of a man with the benefits or the mischiefs of settlement, whichever they be, doubled in his single person.

The true statement of the operation of settlement or non-settlement on the motives of ratepayers, employers, &c.;—

14. The only practical and pertinent example of the argument, the actual present state of non-settled poor, being rejected out of the discussion by the favourers of settlement, and fairly to be appropriated at whatever be its true value by the advocates of the freedom of the poor man, is yet too much encumbered with difficulties arising from the cotemporaneous existence of a law of removal, affecting in their several ways all other classes of rich and poor directly, and even these poor indirectly, to be so clear and so decisive as to be worth appropriating on the other side. The general reasoning in the matter is both more clear and more decisive; and I propose to state it here once again, but in more detail than before, in order that there may be no further excuse for the maintainers of settlement again overlooking it.

The argument selected by the maintainers of settlement, here turns on the operation of the one or the other system of settlement or non-settlement, to diminish the humanity of the treatment of the poor or to increase their oppressions.

To allow of a clearer view of the subject in its simplest terms, I will here omit from consideration that settlement is of itself a bondage, and removal imprisonment and oppression, which

which would have no counterparts in a system of non-settlement.

Confining myself strictly to the operation of the law of settlement upon the dispositions of the ratepayers, of employers, and of the more opulent classes, to treat the labouring and other poor with humanity and fairness, I propose to show, in absolute contradiction to the maintainers of the law of settlement, that settlement is the most effectual political means that could be devised for counteracting the benevolence of the rich, and for making not only their humanity, but their otherwise prudent and economical employment of the poor, penal in the highest possible degree.

—settlement, a penalty on benevolence;

The possibility of foreseeing the results of our actions is generally a necessary condition of the most beneficial exertion of our activity. Whether it is industrial enterprise or simple benevolence that is to be put into action, it is equally necessary to its free and unrestricted operation that no indefinite and extensive evil should be apprehended as the probable but incalculable penalty of the act. All kinds of economical enterprise are entirely forbidden by such a prospect, and benevolence itself becomes a general mischief if it is not exerted with a prudent regard to such a consequence.

By the law of settlement, the result of harbouring in any place of an individual man, woman, boy, or girl, whether the inducement be use, or profit, or benevolence, may be the settlement there, or what is very nearly as dangerous, the effacing of the evidence of settlement elsewhere, or the inamovibility of that individual and his progeny for incalculable generations. Such an act has often cost a parish, in the course of years, the value of the fee-simple of a good estate. The private use or profit obtained at such a cost was either a gross miscalculation of the employer, or a most reckless sacrifice of his neighbour's to his own private advantage. The humanity which harboured the poor man at such a risk to so many other men, was a reckless but manifest cruelty to the latter. The law of settlement puts both prudence and humanity in opposition to the stranger, who, or whose progeny, might by being employed or relieved, become a permanent burden. Hence the universal consent of all ranks of men, under the old law of settlement, to adopt all feasible contrivances not only to repel strangers, but to transfer the presence of their own poor to other places.

On the other hand, when the transaction with a poor man involves

involves none but direct and immediate results, to be at once foreseen, and includes no alarming penalty as a probable consequence, the intercourse has been not only allowed but encouraged, and the operation of private enterprise and of both private and public benevolence has not only not been restricted, but has had even a dangerous extension. It has always been a subject of some doubt whether the alacrity with which the Irish who travel the country for occasional work are employed, is not too great, and fraught with more mischief than benefit. It is certain that the readiness with which relief was given to tramps and vagrants by Boards of Guardians was productive of considerable evils, which required the restraints recently put upon it by the Poor Law Board. The readiness with which every appearance of destitution and suffering of all classes of mendicants is relieved by private benevolence, is at least more often a subject of reasonable complaint than is the obduracy, parsimony, oppression, or other acts which are said to be resorted to to get rid of the claims of the residentiary poor, or of those poor who are looked on as likely to make good a permanent claim to relief.

In short, the plain statement of the fact appears to be this ;—that where immediate relief is all that is required, and involves no penal consequences, it is only too readily granted, whether out of public or private funds : and so of employment, that no profitable service is refused when it may be accepted without a fear of ulterior consequences ; and conversely, that when either employment, harbour, or maintenance involves indefinite consequences, such as settlement or irremovability, extensible in their oppression as the seed of the servant, or of the object of benevolence, may be multiplied, all these consequences foreseen are most valid and imperative reasons for repelling the labourer, for refusing relief or alms, and for expelling the stranger, by every means that self-defensive prudence, and even public spirit, may suggest.

It is plain then, that so far as the repulsion of the poor is concerned, no greater inducement to inhumanity and oppression could be devised than making the penalty of harbouring a poor man so enormous as is the effectuation of a settlement or of the privilege of irremovability. On the other hand, it is equally plain that whatever be the natural inducements to benefit the poor, whether by employment, alms, or other means, there is no more effectual means to check them than the law of settlement, and therefore no more effectual means of giving them

them full scope than the repeal of the penalties imposed on them by the law of settlement. The danger, in truth, lies in this last direction, it being very reasonably to be feared that when the restraints on humanity, imposed by the apprehension of permanent incumbrance, are withdrawn, its indiscriminate action may too much encourage mendicancy and other dangerous practices.*

15. I will now pass over a multitude of minor objections, and will, under this head, content myself with these further remarks. The writer, who has placed these two classes of paupers in opposed divisions, must implicitly deny of the one all the "differences" he attributes to the other, and must assert of the one all the "differences" he denies of the other,—must be understood (as he indeed must have intended, for the force of his argument depends upon it), to deny as to the paupers chargeable by residence, the "difference" which he has attributed to those chargeable by settlement, namely, that the ratepayers are interested in their "becoming self-supporting." There is however no greater misconception than is involved in this attribution as a distinctive difference of the one class, and in this implied denial of it to the other. It has been seen above (4. 5.) to how small a portion of the class to which it is exclusively attributed, it can possibly apply, that class containing the great bulk of those to whom self-support is an impossibility. But this class of paupers chargeable by residence, to whom it is denied, is just the class to which it is the most applicable; for, in the first place, so long as they are self-supporting, their residential privilege is no burden on the ratepayer. When they cease to be self-supporting, then they become a burden to the ratepayer, whom this writer describes as resorting to so many contrivances and oppressions to get rid of it. Therefore it is obvious that the ratepayer is interested in their becoming self-supporting. Perhaps the confusion arises from the disregard of the fact that, as to these residentiary paupers, the ratepayers of two parishes are interested in their becoming self-supporting; those of the parish of the residence, because in that case the burden upon them will cease; and those of the parish of their settlement, because in that case the liability always threatening to revive, by a break of residence, will never fall on them. Moreover, as every man's interest in a result depends on its

The reclaimability of settled and resident paupers respectively;—

—the residential paupers the most reclaimable, instead of the least;—

* This danger, and the antidote supplied by the abolition of the law of settlement, are discussed in my Report (122 to 131).

its attainability, both sets of ratepayers of both parishes have a much more sensible and realisable interest in this class "becom-"ing self-supporting" than they have in the other; inasmuch as this class, consisting, mainly, of those who have resided at least five years without relief, are in a much greater proportion capable of still continuing or of again becoming self-supporting than the generality of paupers chargeable by settlement. Here is in truth a class for the most part capable of being self-supporting, which the most part of the other are not; here is, indeed, scope for prosperous exertion on the part of ratepayers and others to make the class self-supporting; here efforts to that purpose would not be wholly thrown away; and the writer, if he had predicated the existence of a practical and realisable interest in the independence of this class, might have had something to show for his assertion, which is greatly wanting in the opposite case in which he has in fact limited it exclusively. Relying so much on the "interest" of the ratepayer in making the pauper chargeable by settlement "self-support-"ing," he ought, in consistency, to have much greater reliance on the prospect of the paupers chargeable by residence "be-"coming self-supporting;" for whereas in the former case he has to rely only on the ratepayers of the one parish of the settlement to do the more difficult thing, he has in the latter case a double power of ratepayers' interest to bring about the much easier result; the power of the ratepayers of the pauper's settlement, as well as that of the ratepayers of his place of residence, who will both equally escape from the dreaded burden, so long as he is kept self-supporting.

Summary of the first head.

16. Having, as I hope, shown that the writer's groundwork is wholly insufficient for his conclusion, inasmuch as at the utmost he takes into consideration but one-twentieth of the persons and much less than one-twentieth of the interests really involved in the questions he proposes to dispose of; having shown that as to this same twentieth of the people, which he divides into two classes, that all that is attributed to each class is inapplicable to it specially, and is more truly applicable to its opposite, and consequently that the deductions, for the sake of which these divisions seem to be framed, and those distinctions established, must, if applicable at all, be applied in exactly the reverse way to that in which the writer and his adherents seek to apply them; having, moreover, shown that the influence in which they put all their trust, "the interest of the ratepayer," for the amelioration of the condition of the poor, is wholly inadequate to produce the desired effect in the future, as it has been

opposed to it in the past, and as it is opposed to all the most fruitful and operative natural influences, which have at all times made and maintained the prosperity of our own and of all other communities; I shall here take leave of the division, put forth as complete, of the "pauper population," and of the differences attributed respectively and specifically to each subdivision, and shall proceed to,

Effects of Freedom of Motion and Domicile on the Poor (*ante* 5 to 11: 17 to 26.)

II. The same writer's second head, stated in these terms:

Interest of ratepayers under proposed Bill.

"By abolishing removal, but retaining union chargeability, according to sections 1 and 2 of the Bill, all paupers, without reference to their possessing settlements or not, will be placed in a position in regard to the ratepayers of the union in which they reside similar to that now held by the irremovable poor, although in some respects worse. A clear direct interest will be created in every union to get rid of all classes of its chargeable poor. It requires no experience of the actual working of the measure to prove this result; it is an inevitable consequence of the relative situation in which the ratepayers and paupers will be placed.

"It may be anticipated, therefore, that every means will be resorted to by unions to induce the pauper population to quit their present residences One inducement at the command of every union, and which will therefore be made general use of, will be a diminution in the scale of relief, with the imposition of irksome conditions upon the paupers accepting it. The primary object of this course will not be to introduce greater economy into the management, or improved discipline into the arrangements of the union, but simply to induce or drive the paupers to shift their residence to other unions, in the hopes of obtaining more liberal relief, or relief under less oppressive conditions. I cannot doubt for a moment that this will be the policy commonly followed, as the motive directing it will be strong. And it will be freed from the obstacle at present attending a similar treatment of the irremovable poor, viz., the maintenance of two scales of relief in the same union at the same time. It has been suggested that by the relief given to the poor being thrown from the parishes upon the larger area of the union, the interest of ratepayers in diminishing that relief will be weakened; but the zeal and pertinacity with which salaries and other common charges are now attacked, to bring about the smallest savings, is an answer to this supposition.

Poor will become vagrant.

"If it is true that the owners of property have resorted to

"pulling

"pulling down cottages or other similar acts for expelling the "poorer population from their parishes, to the extent ordinarily "represented, it is obvious that ratepayers, who are less ex- "posed to public observation, or to the imputations of selfish "cruelty, will not, when placed under the influence of the same "desire to save their pockets, be backward in using every in- "strument at their command for inducing or driving applicants "for relief to make their claims elsewhere. I do not disbelieve "that owners of property have taken measures for expelling the "poor from their estates, although the practice is necessarily "limited by certain considerations not always stated, nor do I "disbelieve that ratepayers will be found less backward in pur- "suing a similar policy. If only some unions do this, others "must do the same in self-defence, and a wide-spread compe- "tition of ill-treatment of paupers between rival localities must "be the inevitable result.

Suffering occasioned to the poor.

"If this consequence should become universal or at all "general, the effect upon the pauper population would be most "deplorable. Without attempting to strengthen this formid- "able objection to the Bill by dwelling upon the vast amount "of physical suffering that would take place, although a matter "for the gravest reflection, I will advert to other considerations "of scarcely less importance. By creating a powerful interest "on the part of the ratepayers of the union to expel its pauper "population, pauperism will assume the character of vagrancy, "—vagrancy not imposture, but of real destitution,—the most "difficult and hopeless form of social degradation to deal with "as regards its ultimate diminution or cure. The only reason- "able prospect of suppressing pauperism rests upon the possi- "bility of the portion of the population within its influence "being kept subject to local discipline adapted to undermine "the causes of abject poverty. Relief given under conditions "framed for this object, together with the education of the "pauper classes, is the only means by which their position can "be permanently bettered; and the results of these means, "brought into play by the instrumentality of the reformed ad- "ministration of the Poor Law, although at present but par- "tially effective, give us the best assurances for the future, "unless the further operation of them should be impeded or "altogether obstructed by a new character being imparted to "pauperism, and new interests or objects being given to the "ratepayers in dealing with it. Education cannot be given to "a population compelled to practice vagrancy. It is only "through its being locally fixed that that benefit can be "secured to it. An immense good attending settlement, far

The interest of ratepayers in the proper disciplineand education of the poor will be destroyed.

" outweighing the evils properly attributable to that law, is the " interest possessed by the ratepayers in educating the poor of " their locality. Although this interest has always existed, it " has failed to make itself manifest till a very recent period, " owing to the cloud of prejudice through which the subject " of pauperism has generally been regarded, and the empi- " rical treatment it has usually received. Even the favourite " proposal of promoting the free circulation of labour, the " main reason alleged for abolishing settlement, appears to " me to be but little better than a temporary expedient. If " recent legislation has left any practical restriction upon the " movements of the *bonâ fide* labourer, the amount is but " small, and the advantage of its removal would be quickly " counteracted by competition from augmented population. No " permanent effects are to be anticipated from any scheme that " does not involve a change in the intellectual condition of the " labouring classes; and this is by no means a necessary conse- " quence of the removal of the few remaining obstacles to the " free circulation of labour. The attempts to give the interest " possessed by the ratepayers to educate the poor its due opera- " tion are still extremely imperfect, not to say in many respects " ill-judged, from the causes which have hitherto obstructed " it. But we have daily proofs of the interest being better " understood, and of the instruction of the pauper population " being considered the proper and lasting cure for the evils they " suffer.

" If, however, by the abolition of removal or settlement, " union chargeability being retained, the pauper population " become fluctuating and moveable, which must, it appears to " me, be inevitably the case, efforts at education will be para- " lysed. Under the same circumstances the interest of the rate- " payers in educating their poor will be lost sight of in the " more inviting prospect of diminishing the expenditure of the " moment by driving them away. Both these things concur- " ring will deprive us of the hopes of the only real means of " permanently alleviating poverty.

The poor will probably be driven to the towns and populous places;

" Although I am of opinion that these objectionable conse- " quences will follow the adoption of the Bill, other results of " a very serious kind may also be anticipated; and to one of " these I will confine my remaining observations upon this part " of the subject. The operation of the competition between " unions in driving away their poor will most probably in " practice be very unequal; and while many unions will suc- " ceed in their attempts to rid themselves of their burdens, " many may fail in doing so for want of resolution or perseve-

" rance

" rance, and will consequently become overrun with poor. It " is probable that the unions which will fail will be those com- " prising large towns or populous parishes. In such places " there is generally a want of combination for management, " unlike the case of most rural unions, in which the interests of " the ratepayers are practically under the direction of compara- " tively few persons, large owners or occupiers, who possess " one common object in diminishing expenditure by a parti- " cular policy. An increasing balance of pauper population " will thus become chargeable to towns and populous places.

" Independently also of the motives or conduct of the rate- " payers of rural unions, there would be a tendency on the part " of the destitute poor to resort to the towns on their own " account. They would not be worse off than in the country " in regard to relief, whilst in the towns they would have the " advantage of hospitals, charitable institutions, distributions of " clothes and food, and of begging. For these latter consider- " ations a large portion of the pauper population would migrate " voluntarily to the towns, and become dependent upon the " inhabitants for their support.

and have an inducement to resort there of their own accord.

" If these conjectures are well founded, an injustice would " be inflicted upon the towns and be most pointedly felt by " them, as it would be one for which no available remedy would " exist. And the only one that could be suggested would be " the extension of the area of rating and chargeability so as to " embrace both town and country. The objections to a general " rating are too well known to require their being re-stated ; " but it is to that ruinous system that the oppressions which " would be practised under the Bill would, in my opinion, " eventually lead."

General rating the ultimate consequence.

17. This contains his anticipations of the manner in which the interests of the ratepayer would act on all paupers, if the law of removal was abolished as proposed in the Bill, and his views of education as the proper remedy for existing evils. In the first of these at least, he appears to represent very fairly the views of the majority of those who still advocate the retention of the law of removal of the poor. In the views which he expresses as to the prospects of pauper education, to be brought about through the interest of the ratepayers, it is not so clear to me that his views coincide with any opinion so largely diffused ; but whether this be so or not, they are of such importance, if correct, as to deserve a careful consideration for their own sake.

Here it will be allowed me to observe, that the Bill, the subject of these observations, though framed in the immediate

The writer's views of the probable

operation of a Bill to abolish removal, upon the ratepayer's interest, and through that on the paupers;—

interest of paupers, is equally intended to benefit at the same time and by the same operation the other nineteen-twentieths of the community; and that if it should have the effect that this writer prophesies upon all the "paupers," he will still not have touched the real question until he has also shown that the benefit to all the other classes, the other nineteen-twentieths of the community, will not preponderate over all the evil to the "paupers."

—paupers not the sole object of solicitude;—

—their relation to the "ratepayers" not the sole consideration.

So also, if it were really true, as to the paupers only, that they would be placed in "a worse position in regard to the "ratepayers of the union in which they reside," as the writer alleges, it would still be nothing to the purpose, if these same paupers were at the same time placed in a better "position" as regards the ratepayers of all other places, and especially as regards all the employers, consumers, and other members of the entire community.

If all then were granted to the writer which he prophesies, it would still be nothing to the purpose of the present discussion, unless the two other apparent probabilities were also negatived.

—his assertion that by abolition of removal all paupers will be in a similar position to that of the irremovable poor now, or in a worse position;—

18. But to accept for the present the writer's chosen issue,—as if its determination was in truth decisive of all the questions involved on either side,—both the assertions in his communication are to be absolutely denied; namely, first, that "by "abolishing removal, and retaining union chargeability, all "paupers will be placed in a position, with regard to the rate-"payers of the union in which they reside, *similar* to that now "held by irremovable poor;" and secondly, "that they would "be placed in a position to such ratepayers in some degrees "*worse*."

—examination of the asserted "similarity;"—

First, as to the "position *similar* to that now held by the "irremovable poor."

Parallel Comparison

OF THE NOW IRREMOVABLE POOR;—	—AND OF ALL PAUPERS WHEN REMOVAL IS ABOLISHED.
These are now *settled* in some parish in which they do not reside, and removal to which is generally a subject of dread;	These will be irremovable wherever they please to reside, and will have no such subject of fear;
they *reside* in some parish in which they are not settled, and where it is an important object to them to remain;	
they	they

they have resided at least five years without interruption in the same parish, without obtaining relief, during which five years they must, whatever their interests, inducements, temptations, duties to the contrary, have resisted them all, in order to avoid the breaking of the continuity of the residence, the condition of their privilege of irremovability;

they may continue to reside, or may move at pleasure, they may follow their fortune, pursue their interests, indulge their whims, in short, may go, return, and go again, and they will neither gain nor lose any privilege or factitious advantage or disadvantage whatsoever;

however much out of place here, they must have held on, in spite of all disadvantages, to retain their privilege;

they will, if they find themselves misplaced, gain nothing by staying, and lose nothing by going away;

however much wanted elsewhere, they must have foregone all advantages offered there, to retain their privilege where they are;

if wanted elsewhere, they will gain all the benefit of going, and lose nothing by it;

however pressed by want, they must have abstained from the aid the law provided for their cases, lest by receiving relief they should forego their privilege;

if pressed by want, they may take the relief the law allows without any other than the simple and ordinary effects of pauperism;

and now that after all sacrifices made they are irremovable by five years' continuous residence without relief, they still dare not leave this parish for a better location, lest they lose their privilege;

every hour of their lives they will be equally free to remove without loss or gain of factitious privilege;

foregoing all advantages elsewhere, they are shut out from economical and other benefits offered by all the rest of the country;

they will have no inducements to forego advantages wherever they may be found or made;

they are now, by all the natural advantages they abandon, the less able to provide independently for themselves and families where they reside,

they will abandon nothing for nothing,

and now that their privilege of inamovability is safe, whatever quantity of relief they take,—there is the less reluctance to receive relief as the right has been so hardly earned;

having no privilege to gain or keep by staying, they have no such varying inducement at one period to abstain from the acceptance of, at another to indulge in it;

but the "ratepayers," keeping in mind their settlement elsewhere, to which they may still be sent back on any breach of continuity of residence, try by all means to break their residence, which being once broken, the pauper may be removed for ever, his return and chargeability in this parish for ever after being a criminal offence. As the writer says, "these people are "bribed to go;" "they are "helped on their journey;" "they are cajoled into leav- "ing;" they are discouraged "in seeking relief;" they are "offered inadequate or unac- "ceptable relief;" also "house- "room is refused to them; "employment is refused to "them;"

the "ratepayers" can gain nothing by any effort to displace a man who may return at pleasure the next hour, after all their pains and cost and sacrifices. Break his residence, or continue it, he is still equally inamovable, but at his pleasure, go he or stay he, or return he once or a hundred times, he is equally dispunishable;

and all this is the more easily done, as all that is necessary is to dislodge them temporarily from one parish, and their privilege is gone,—the pauper is at once removable, and on returning and becoming again chargeable, is for ever after punishable as a vagrant if he take relief;

chargeability being made an union matter,—ratepayers must have long arms to dislodge a resident, even if they had a sensible interest in doing so;

thus, on both sides, on the resident's and the ratepayer's, the stake contended for is the highest possible,—the privilege of unlimited residence and support

he will gain nothing by staying, lose nothing by going; the pauper's stake is none; the ratepayer's gain in an union is inappreciable, and when

support for the pauper, for the ratepayer a complete and final deliverance;	when the pauper is gone, he may be back the next hour in any part of the union again, as great a burden as ever;
but the contest is one in which the pauper's prospect of achieving independence, of "becoming self-supporting," is made the least possible, and even his privileges of pauperism are only admitted, if at all, with grudging and persecution;	where the pauper resides, as the motive to expel him is less than the motive to make him independent, there will be no such difficulty;
are the subjects of numerous other less important incidents tedious to enumerate;	all of which are dissimilar, and opposed to the incidents of pauperism when removal is abolished.

So much for the assertion, that "by abolishing removal the "position of all paupers will be *similar* to that now held by "the irremovable poor." "Similar"?—"diametrically oppo-"site, and utterly dissimilar," would evidently have been a truer expression.

—examination of the assertion that the paupers would be in a "worse posi-"tion" by the abolition of settlement.

19. And now as to the other assertion, that "by abolishing "removal, but retaining union chargeability, all paupers will "be placed in a position, in regard to the ratepayers of the "union in which they reside, in some respects *worse* than that "now held by the irremovable poor:"—

The writer, who, like most of those who argue on his side, puts all other classes out of view, does not go so far as to say that the position even of the paupers would be *generally* worse; but only that "they will be placed in a "position, *in* "*regard to the ratepayers of the union* in which they reside, "*in some respects* worse than that now held by the irremovable "poor."

Little satisfactory as such a discussion would be, if so limited, I will for brevity's sake also omit all reference on this occasion to all other classes, and will, for the present, try to find out what these "some respects" are, in which, as it is said, all paupers will be in a "worse position in regard to the rate-"payers of the union in which they reside." Narrow and insufficient as is the issue, those who maintain the views of the writer commonly, as he does, decline to prove it;—he says, "it requires no experience to prove the result;" "it is "an inevitable consequence of the relative situation."

Is

Is it that they mean, as the writer says, that by abolishing removal "all paupers' positions will be made worse?" This conclusion is very manifestly at variance with all real experience,* that removal is in the immense majority of cases a cruel infliction, which the poor by all means strive to avoid, which most men deplore even where they admit its necessity, and even the "ratepayers" resort to with reluctance, which for 200 years the Legislature has incessantly attempted by one contrivance and another, by the certificate system, by creating the privilege of irremovability, by repealing various heads and modifications of settlement, and by restricting the process itself of removal, to diminish and mitigate as much as possible. All the later legislation has been undertaken professedly with the view to diminish the evil of removal, and with this view alone; but the diminution in number of the paupers removed leaves the cruelty, where it does still operate, at least as great as ever. I am almost convinced, that so well informed a writer can scarcely mean that the power of removal "is a position of the pauper in regard to the rate-"payer" so beneficial, that "by abolishing it," "the pauper's "position would be worse." I am satisfied that the verdict of any person fairly considering the facts which are manifestly within the knowledge of the writer must be, that *per se* the abolition of removal would be nothing but a benefit to the pauper.

I must then suppose that the writer does not mean to assert this deterioration of the pauper's position by the abolition

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* For instance, we have the high authority of the Poor-law Commission, thus expressed in their Ninth Annual Report, 1843, p. 40 (97): "In the pre-"sent state of the law, it is evident that, in a legal point of view, the most "advantageous thing for a pauper born in England, is to have no settlement. "If destitute, he has a right to relief, without the consequent liability to "removal, wherever he may be, simply because there is no place to which he "can be removed. A settlement confers on him no right to relief, for that he "has at any rate; but it imposes the liability to removal at the will of others if "he become destitute in a parish in which he is not settled."

"99. Language, therefore, which, on the supposition of a settlement being "advantageous in itself, would be quite intelligible, such as the benefit of a "settlement used by *Abbot*, C. J., 2 B. & A., 162, *R.* v. *Saighton-on-the-Hill*, "becomes unmeaning with reference to English poor, when it is admitted that "the claim to relief exists at any rate, and that all the settlement does "is to fix the ultimate incidence of the burden. Any disposition to lean towards "establishing a settlement, as a benefit to the pauper, may be accounted for in "one case, but has no reason to support it in the other."

"100. We repeat, therefore, the most advantageous position for a pauper "born in England is clearly the recognition of his right to relief, without the "liability to removal; and it is equally clear that this position is that of a "person having no place to which he can be legally removed; that is, having "no settlement."

tion of removal *per se*, but that he intends it to be taken in conjunction with his following words; thus, "by abolishing "removal, but retaining union chargeability, all paupers "would be in a worse position." And he immediately after seems to indicate such a meaning by asserting, that "a clear "direct interest will be excited in any union to get rid of "its chargeable poor."

Let us then examine this effect of "union chargeability" on the "paupers' position in regard to the ratepayers."

The writer somewhat obscures this position by saying that it will be similar to that of the irremovable poor, but worse; thus introducing three terms of difference and contrast, that of the general pauper as at present, with that of the irremovable pauper as at present, and with that of the pauper when settlement is abolished. As it is shown above (18), that the asserted "similarity" of the pauper now irremovable, with paupers when settlement is abolished is wholly unfounded, I shall here leave out this branch of the comparison with the present irremovables, and shall simply compare the ordinary removable pauper's "present position," and his position if removal were abolished, and union chargeability in force.

PARALLEL COMPARISON OF PAUPER'S POSITION,—

—NOW,—	—THEN.
He is chargeable to one parish.	He would be chargeable to a whole union.
He is removable to his settlement, even within the same union.	He would not be removable at all, and so far the position of the ratepayers of the parish of his settlement would be not "worse" towards him, but null.
The ratepayers get rid of his charge if they can, by removal, or contrivance, or in any way shift him over their boundary, even into the next parish.	The ratepayers would not get rid of him by removal at all; and as to all other contrivances, only by getting him beyond a territory usually twenty-five times as large as a parish.
Sometimes one ratepayer has the sole power in a parish to do this. In 12,000 parishes out of 15,535, the number of parishioners is less than 800, and	In no union could one person do this. If any landlord holds a whole union he is not the sole ratepayer, and to such a great landlord such an object

and of ratepayers less than 80.	object would be too insignificant, and such a mode of attaining it too disgraceful. The average population of an union is about 25,000, of ratepayers about 2,500.
The ratepayers being few, feel his burden as a great one.	The ratepayers being numerous, would feel an individual pauper's burden, if at all, as a small one.
Being few, they can easily combine in interest and action against him.	Being numerous, they could not easily combine in interest or action against a labourer or pauper.
The parish being small, he may be driven across the border, and the parish yet not deprived of his labour, or even of his expenditure there.	The union being large, equal to twenty-five parishes, he could not easily be driven out; and if he were, his labour would almost certainly be lost.
The ratepayers can even depopulate the area of chargeability, the parish, and have their land still as well cultivated, themselves as well served by labourers residing in a part of the adjoining parish embayed within their own.	The ratepayers of an union could never depopulate the area of chargeability; and if they did drive their people out of their bounds, the union would be a desert; and to save 1*s.* in a pound in poor-rates they would destroy 20*s.* in the pound of rental.

Thus, the same pauper who now costs a ratepayer of his parish a shilling, will then be a charge of less than a halfpenny to the same ratepayer of the union. The ratepayer who has now a motive in cost as twenty-five, to drive, to threaten, to bribe, to cajole a pauper, would then have a motive to do so as less than one. But while his prospect of profit or saving would then become as one to his present twenty-five, his difficulties would be multiplied in the inverse ratio, and would be as twenty-five to the one at present; he would have to find allies, would have to get the concurrence of twenty-five conspirators to one; he would have to shut against the pauper a territory twenty-five times as large; he would have to extirpate or control twenty-five of the speculators in houses and lodgings instead of one. The ratepayer must be twenty-five times as avaricious to think that the same effort as is now enough, worth his while then; but he must be also twenty-five

five times as vigorous, unscrupulous, inexorable, in order to carry it out with the same effect against obstacles twenty-five times as great. It is, in this point of view, a low estimate to say that the practical impulses and the powers of tyranny would be reduced from 500 to one.

But perhaps it may be objected, that although the individual ratepayers' interests and powers, as against a single pauper, would be thus diminished by union chargeability, still the entire charge of the pauper to the aggregate of the ratepayers of the whole union would be as great as now, and therefore that their aggregate interests being the same, their aggregate action will be the same, or, as this writer assumes, greater, *i. e.*, "worse."

To this the reply is, that twenty-five men will never work for a shilling as one man will work for the same shilling; that it is a result of universal experience, that all combination is difficult in proportion to the numbers to be combined; that all combination is difficult in proportion to the smallness of the individual interests involved; that in proportion to the extent to be covered, and the numbers to be combined, are the chances of encountering insuperable obstacles and irreconcileable diversities of adverse interests.

Again, it may be said on this writer's side, that although the interest of twenty-five men is more feeble in getting rid of one pauper, their interest in getting rid of twenty-five paupers, the probable aggregate, is exactly equal to the present ratio: 25 : 25 : : 1 : 1.

To this the reply is, that the depulsion of paupers in the mass is not possible; that it is essentially, necessarily, an affair with individuals. The ratepayers of a union cannot have before them paupers in lots of twenty-five to ask relief; they cannot refuse relief to paupers by twenty-fives; they cannot bribe them by twenty-fives; they cannot cajole, threaten, or starve in such heaps as to make each guardian or ratepayer who practises such contrivance or oppression feel that he has an interest in his job as of one man getting rid of his own incumbrance. To cajole, bribe, or starve twenty-five paupers, a majority of the whole of the ratepayers or guardians of a union must do it in twenty-five separate operations, not in a wholesale lump of twenty-five. It is impossible to reduce the labour and pain of the operation, or to excuse the operation; but in individual cases, and in each individual case, each guardian or ratepayer will be conscious that he is practising cruelty, meanness, breach or evasion of the law, for the interest of twenty-four others, as much as for

for his own, and for one-twenty-fifth part of the profit of the painful and disgraceful act.

And *cui bono?* When all is done, the pauper got rid of at noon may be back again before sunset, or he may be replaced by another as burdensome and objectionable.

It is strange that about such simple considerations men should differ so widely; that those who agree with this writer should find in union chargeability a motive and a means of individual oppression, where other men on the contrary have found its corrective, and a ground of expectation of broad, simple, and intelligible principles of administration, such as can be brought home and made plain to considerable bodies of men, instead of the selfish, mean, capricious, cruel practices of individual men and little bodies.

However, enough must be here apparent to show on what insufficient grounds it is prophesied that the "abolition of "removal, retaining union chargeability, will place all paupers "in a *worse* position with regard to the ratepayers of the union." As before, the truth appears exactly at the antipodes of this assertion. For "worse" we may safely read "in every conceivable way better."

The asserted "creation" of an interest to get rid of the poor.

20. The communication proceeds: "A *clear direct interest* "will be *created* in every union to get rid of *all classes* of its "chargeable poor."

This is stated as if this interest was to be the specific result of abolishing the law of settlement and removal, and as if it had not existed under that law, but had been up to this time kept from coming into existence or into operation by the beneficent policy of that law. Yet, it is an unquestionable fact* that this "clear direct interest" has always existed since any class of poor has been legally chargeable to any class of persons; that is, for at least three centuries in England; and not only has existed, but at all times has been pursued by all available means, even to the destruction of property and the depopulation of the land,† and that its operation was inordinately aggravated 200 years ago by this very law of settlement, the effect of which this writer here appears to forget, and which he would innocently perpetuate.

And it is prophesied that this "clear direct interest" is now first to be "created" by a law, to be hereafter passed, for the abolition of removal.

We have seen (19), that so far from being "created," it will by

* *See* my Report, App. (30—82). † *Ib.* App. (19 23. 26 *et seq. passim.*)

by the proposed measure be diluted, rendered comparatively impotent for all oppressive purposes.

21. But the communication proceeds: "It requires no experience of the actual working of the measure to prove this result; it is an inevitable consequence of the relative situation in which the ratepayers and paupers will be placed."

The assertion that the ill effects are "an inevitable consequence, requiring no proof."

It is a difficulty with which all this discussion is beset, that the maintainers of settlement so often assume whatever consequences their argument requires, as being inevitable and indisputable, and thus throw on the other side the whole labour of not only proving their own case, but that also of finding out the evidence assumed, but not shown to exist on the other side. In the present instance it really is hard to tell after this what assertion would require "proof," or what assertion the writer would consider self-evident without experience. Here is all the history of poor laws, especially all the history of settlement, all "experience" from the first day to the last, and every witness who has ever written or spoken on the subject,* all on one side, "to prove" that this interest has existed, and been obeyed in its utmost force all over the country; and yet the writer says he may dispense with proof, that it still remains to be "created" by a future measure; and he prophesies of a measure which we have seen demonstratively (19) must inevitably weaken the force and the operation of this interest, that its "inevitable consequence" is the creation of the very result that it is most of all calculated to counteract.

22. The communication proceeds: "It may be *anticipated*, "*therefore*, that every means will be resorted to by unions to "induce the pauper population to quit their present resi- "dences."

His anticipations of the conduct of Unions in expelling paupers.

An "anticipation" again, connected, as if it were a legitimate deduction from it, with an assertion of which the proof is refused, as being wholly unnecessary. History is nothing, daily and universal experience for 200 years is nothing, demonstration of certain effects is nothing, while a prophecy, which professes to "require no experience of actual working," connected by a "therefore," with "an anticipation," is to serve better, and is to suffice to evoke a vision of cruelty and terror to scare us from all attempts at practical and practicable improvements.

And "*every* means will be resorted to by unions to induce their

* *See* my Report (45 to 91 *passim.*)

"their pauper population to quit their present residences." But now the means are resorted to by others besides the "unions," (19) and much more powerful agencies too. And what all this time of the independent population, unnoticed here, who are now harassed for the same purpose, in numbers vastly greater than the "paupers"?

That Unions will generally adopt low scales of relief, and impose hard conditions on its acceptance;

23. The communication proceeds, "One inducement at the "command of *every* union, and which *will therefore be made* "*general* use of, will be a diminution in the scale of relief, "with the imposition of irksome conditions upon the paupers "accepting it."

—impossibility of this operation;—

Another prophecy of the true subject of a very old history; but with the characters transposed as before. But this deserves more attention; for whereas the previous prophecies have only reversed all history and experience past and present, this also, when examined, will be found to refute itself.

The "inducement to the pauper population to quit their "present residences is a diminution of the scale of relief, with "the imposition of irksome conditions on the pauper accepting "it." Now, if there were some places not in union, where the same inducement would not be applicable, and to which the poor could betake themselves, this prophecy might at least involve a conceivable possibility of realisation; inasmuch as there would be a possible escape from the oppression. The "inducement" is an oppression to be fled from. It requires therefore a refuge to be fled to. The paupers will scarcely be "induced to quit their present residences" on an expedition into the extra-mundane spaces. But the "in-"ducement" is, as the communication says, "at the com-"mand of every union," and it might as truly be added, of every parish also; it is in equal power everywhere. Whither, then, is the pauper to escape from "every union" and every parish? If in leaving an union he falls into another where the motive to apply the "inducement," is quite as strong, (if not stronger, as he is there an intruder and encroacher), where is the inducement to quit his present residence? His case will be made bad, according to these "anticipations;" but how is this an inducement for him to go where his case will be quite as bad or still worse?

If it had been prophesied, not that this "inducement being "at the command of every union, would *therefore* be made "*general* use of," but that it would be made a *partial* use of, it would still have been, on examination, an incredible prophecy: but it would have been at least in some measure self-consistent; inasmuch as if some, say half, of the unions were

were to apply the screw, and other some, say the other half were to abstain, there would in the latter, by this supposition, be a possible place of refuge from their oppressions, and so a possible "inducement" to the paupers "to quit their pre-"sent residences."

It must be plain that the anticipation here put forth, as it commonly is by other persons on the writer's side of the question, cannot be accepted in all its generality. But what has gone before (19.) will probably serve to show that it is not to be accepted at all: and that the very reverse of the anticipated operation is the more probable result of the abrogation of the present law.

—limit of the possibility,

Here a few remarks again present themselves for consideration. First, again, it is only the "paupers" whom this writer considers, and in this case justly; for none but paupers can be persecuted by insufficient relief to quit their residences. This is a persecution which cannot reach their independent rivals; as the tampering with wages, the partialities in employment, the depopulations of territory do;—persecutions now easy and tempting in the small parish against the ten times as numerous independent labourers, and, in truth, to be made much less possible or altogether untempting when the area and subject of charge is multiplied twenty-five-fold by union chargeability.

and certain gain to the independent labourers;

consolation derivable from his anticipations.

So if the "anticipation" had a probability, or even a possibility, to countenance it, it would still involve an evil to paupers of very little moment when placed in the balance against the benefit to all the independent labourers and their employers, and all the rest of the community deriving advantage from their prosperity.

And, secondly, admitting for the moment as much as is possible of this "anticipation," that a greater or less number of unions would try this "inducement" upon their paupers, what then would be the effect? Which of the paupers would obey the "inducement"?—all?—or the impotent, the infant, the sick, the helpless, the bedridden, the insane?—or the able-bodied, and those capable of looking elsewhere? It must be remembered that now the motive to drive off all settled poor, whether as yet chargeable or not, exists in vastly greater force, and much more capable of being obeyed, than it will when there is no fear of settlement, and the charge of relief is diffused twenty-five-fold, and the area for extermination is multiplied twenty-five-fold (14. 19.). And why is this policy not carried out, now that it is tempting and easy; and why is it to be tried then when it will be less tempting and more difficult? What greater gain, greater facility, greater im-

punity, less disgrace and horror will then attend the starvation of the helpless poor than now? Will it be less a homicide to starve a child, to refuse medicines and care to a sick pauper, to refuse sustenance or to offer delusive relief to the old and feeble; will it be less an opprobrium or a legal crime then than now? What impediment that has as yet restrained this motive, hitherto so strong and comparatively easy to obey, will then be removed?

The writer is here silent; but he has elsewhere given us what may perhaps be taken as an answer to the question by anticipation and implication rather than by present and direct affirmation. It is before said, in reference to the persecutions of the irremovable poor, that "there can be little doubt that inferior "or inadequate relief is occasionally given to them to induce "them to migrate, although there are practical obstacles to its "being commonly adopted. If different amounts of relief "were given to paupers of the two classes, settled and irre-"movable, the facts would distinctly appear by the union "accounts, and the strange contrast would invite the strongest "observations if not positive interference." Some of the inconsistencies of this passage have been already pointed out (12); but its main effect is to suggest the possibility of a practical process, by which, when the poor are all, by abolition of settlement, made inamovible, and when no contrast can exist between settled and inamovible poor, the unions may, as the accounts will exhibit no contrast in administration, oppress the whole of their poor at pleasure without danger of "the strongest observations, if not positive interference." As the extent of the practice now said to be "occasionally "resorted to" is not defined in the communication, and seems not to have yet been distinctly ascertained, we may assume that at present, checked as it is by the fear of anomalous appearances in the accounts, it is supposed only to apply to a small part of the class of irremovables. For argument, let it be assumed to apply to a tenth of them, or to a fortieth part of the whole of the paupers. We are then to believe, that what cannot be now easily or safely or constantly done against a fortieth part of the poor, for fear of the "appearance of the union "accounts," for fear of the "strongest observations, if not po-"sitive interference," will quite naturally, as a thing of course, indeed of necessity, "an inevitable consequence, requiring no "experience to prove it," be practised universally on all the paupers, forty times as many; that then as now the operation will be undiscoverable; but that then the union accounts, with inadequacies or refusals of relief forty times multiplied, will afford

afford no "distinct appearance" of the fact; that then the Poor Law Board and their inspectors will have their obtuseness forty times multiplied, or if they do discover a fact magnified by a power of forty, that the iniquity then of so much greater dimension will invite no "strong observation" from them, no "positive interference;" that their intervention, now so much dreaded and avoided as to a fortieth part, would be then quite out of the question, when the occasion and necessity for it was increased in a forty-fold proportion. In truth, it appears to me to be a mere mystification to refer to the "union accounts" at all as the means of discovery of such a malpractice, and they are only referred to here by me because the communication recognises them as the only means of discovery. To a practical inquirer it will be sufficient to point out the fact, that an illegal administration of relief, involving the penalties of a misdemeanour, and sometimes where the effects were fatal, a still higher penalty, applied to the whole body of the poor, forty times the number of the supposed present victims, must excite a complaint or clamour, increased at least in proportion to the number of their victims, the increased number of those who would suffer by the mass of destitution thus cast upon private charity and resources, the increased interest of humane and intelligent friends of the poor, and the immense reaction of public opinion against a cruelty equally illegal and immoral, and revolting by the enormity of its selfish meanness.

At all events, we may assume, in a discussion of the probable effects of any legislative measure, that any effort will be less tried where its operation is less possible; that those poor who cannot possibly quit will not be "induced" to quit; that those who can less easily move will not be the first "induced" to move; and that if any be "induced" to quit, it will be those who can do so, and most of all those who can most easily do so. And who are these? First and foremost, if not exclusively, the able-bodied, in different degrees, according to their ability to move and their energy. Where will they go to? To the next union, or the next to that, or the next to that, where they will be treated as ill as at home, or worse? To suppose so in this discussion is absurd, for their condition implies the stronger inducement to remain where they are. They cannot by this hypothesis find refuge in the relief of other unions; nor can they find a residence on the mathematical line which divides them. Will, then, the resort be to other unions for relief; or will it be to places where wages are better, occupations more various, and adjusted to all strengths and abilities?

Which would, on this writer's hypothesis, be most readily found in England, a liberal union, or a place where there is abundant and remunerative employment? He prophesies that the unions must be universally closed. He has not yet prophesied that wages, the demand for hands, the fathomless receptacle for ages of Irish and other labourers, will be brought to one dead level of equality—Lancashire to South Wilts. While undeprived by prophecy of this resource for a displaced population, we may still hope, that while it is as easy to travel to a place of better employment as to a more liberal union, the exterminated paupers may take the more promising road to the districts where independence, respectability, and prosperity have hitherto, under the bondage of settlement, tempted them in vain.

If, then, we could give our faith to this kind of prophecies, we might still find a hopeful refuge in what is not yet prophesied out of existence, the immense, the abundant, the craving occasions which our country and its dependencies present for the reclamation of our "pauper people," with incalculable benefit to all our independent classes; and we might become grateful to this writer and his adherents for discovering what some of us have hitherto had little hope of, a sufficient motive created by the abolition of settlement to stir this now stagnant pauper mass into motion, and a scourge to urge it forward in the common race of our industrial and national progress.

His imputation of selfish motives for the beneficial change;

23. The communication proceeds: "The primary object of "this course will not be to introduce greater economy into "the management, or improved discipline into the arrange-"ments of the union—"

Though economy and improved discipline may not be the "primary" objects, they are not to be despised; and although they will not be attained by the process the writer prophesies, they would, whatever the primary object, be no despicable benefits, as ultimate results;

—his assumption of ignorance and folly in the paupers, in obeying the cruel inducements of the Unions.

—"but simply to induce or drive the paupers to shift their "residence to other unions, in the hopes of obtaining more "liberal relief, or relief under less oppressive conditions—"

But the writer has prophesied that the motive will affect "every union;" how and why, then, is the pauper to have these "hopes" of more liberal relief anywhere on less oppressive conditions? The pauper population has not hitherto been so blind and so uninformed as not to know well the fare they might expect on a change of parish; they have always shown a keen apprehension of the difference of a "good parish" and a "bad parish," and have practically shown their discrimination

tion in avoiding the one, and settling in the other.* The writer's prophecy tries our faith all ways; we must not only believe a preternatural sharpening of the faculties, the avarice, the cruelty of the ratepayers, but an unparalleled, and as yet unheard-of blindness and folly in the paupers, as the prospective fruits of non-removal and union chargeability.

—"I cannot doubt for a moment that this will be the policy "commonly followed, as the motive directing it will be "strong."

The writer, who does not recognise at all the existing strength of the motives of ratepayers now in operation for 300 years past, to get rid of a settled pauper, with all his seed, by one effort, "cannot doubt," even "for a moment," that this policy of his anticipations, to get rid fruitlessly of unsettled paupers will be followed, as the motive "directing it will be strong."

His refutation of an objection;—

24. The writer having thus proclaimed his anticipations, proceeds to confute an objection, thus: "It has been suggested "that by the relief given to the poor being thrown from the "parish upon the larger area of the union, the interest of "ratepayers in diminishing that relief will be weakened, but "the zeal and pertinacity with which salaries and other com-"mon charges are now attacked to bring about the smallest "savings, is an answer to this supposition."

The objection is not stated by the writer in such a way as to satisfy those who hold it. Its real character may, I hope, be better seen above (19). But it is still sufficiently well stated by himself to enable us to see how entirely he has failed to answer it.

—parish economy contrasted with Union economy;—

It is a reasonable expectation, that when all charges are made union charges, instead of parish charges, they will be regarded with a common interest by all the guardians and ratepayers of the union, instead of being regulated, as now, by the narrow views and personal objects of the several small, and independent parishes: that when all the members of a Board of Guardians, and all whom they represent there are equally interested in each decision, one uniform system may be applied to all like cases: that where now several different and discordant modes of action are pursued of various degrees of badness and goodness at the pleasure of the respective guardians whose several parishes are looked on as separately concerned, when the same matters become a common concern,

* See the preamble to the 14 Car. 2, c. 12, for the practice of the poor "endeavouring to settle where there is the best stock," &c.; and the Appendix to my Report (45. 48. 52) for early examples.

cern, only one mode, and probably a better, perhaps the best may be adopted. Experience thus far accords with these expectations, and in matters of common concern, such as those referred to by the writer, as the establishment and its charges, officers and their salaries, matters of small moment, as he says, the "smallest savings," have received a zealous and pertinacious attention, which matters of the like or greater moment, left more to the influence of individuals, have not yet received. This zeal, this pertinacity about the common interest, is evidence of the advantage to be attained by the union chargeability.*

—comparison of avowable and unavowable policies;—

But the choice, the control, the discussion of the salaries of an officer is a large, simple and single act; it is a regular, lawful, open subject of discussion, judgment, and administration, and may be disposed of once for all by one, or an occasional or periodical discussion and decision made in the face of day, in all honour and good faith.

On the other hand, what is it that the writer infers from the present "zeal and pertinacity in attacking salaries and other "common charges?" This,—that the ratepayers or the guardians will enter with like zeal and pertinacity upon the hidden, the unavowable, the unlawful and shameful work he describes as now wrought upon the residentiary poor, that the Board of Guardians will make the case of "all paupers," when a common charge, "worse" than that of the residentiary poor is now; that the Board of Guardians of an union will, worse than overseers of parishes do now, zealously and pertinaciously "bribe," treacherously "help" in a penal offence, "cajole," "terrify," "discourage" the individual pauper, and delusively "offer them inadequate or unacceptable relief."

The writer evidently does not recognise the fact, that there are some things a great body acting openly can do better and more easily than individuals; that there are other things they cannot, by very reason of their greatness, do at all. And he infers from the fact that guardians have done what they can do well, that as they have discussed matters of appointments, and salaries, and general economy, they will therefore do what they cannot do at all, enter upon a course of secret contrivance and open lawlessness for the betrayal and oppression of "all the paupers" individually.

The writer might as well answer our doubt, that a Board of

* It may indeed be regretted that in some instances it has already operated too effectually, and has succeeded, by its compact influence, in casting upon the national treasury so many of the common or establishment charges in despite of all sound principle to the contrary.

of Guardians will ever fly, by answering us, that many of them are very zealous and pertinacious walkers, and call this "an "answer to the supposition."

25. The communication continues, "*If it is true* that the "owners of property have resorted to pulling down cottages "or other similar acts for expelling the poorer population "from their parishes, to the extent ordinarily represented, *it* "*is obvious* that ratepayers, who are less exposed to public "observation, or to the imputations of selfish cruelty, will "not, when placed under the influence of the same desire to "save their pockets, be backward in using every instrument "at their command for inducing or driving applicants for "relief elsewhere. *I do not disbelieve* that owners of property "have taken measures for expelling the poor from their "estates, although the practice is necessarily limited by cer- "tain considerations not always stated; *nor do I disbelieve* "that ratepayers will be found less [more] backward in pur- "suing a similar policy. If only some unions do this, others "must do the same in self-defence, and a wide-spread com- "petition of ill-treatment of paupers between rival localities "must be the inevitable result."

His prophecy of universal oppression by Unions, and universal vagrancy of the paupers;—

"If this consequence should become universal or at all "general, the effect upon the pauper population would be "most deplorable. Without attempting to strengthen this "formidable objection to the Bill, by dwelling upon the "vast amount of physical suffering that would take place, "although a matter for the gravest reflection, I will advert "to other considerations of scarcely less importance. By "*creating* a powerful interest, on the part of the ratepayers "of the union to expel its pauper population, pauperism will "assume the character of vagrancy; vagrancy, not of impos- "ture, but of real destitution, the most difficult and hope- "less form of social degradation to deal with, as regards "ultimate diminution or cure."

Sentiment loves imaginary distresses, and dwells with fond delight on touching pictures*, which it is the dull business of hard experiment, cruel calculation, and cold reason to dissipate.

All this "formidable objection" is simply a connexion of mere suppositions already disposed of, and of inferences from them,

—already disposed of.

* *See* the sentimentalities of the Mayor and Corporation of London while urging the use of the "whippe" on the naked bodies of men and women, in the Appendix to my Report (37. 39. 40), and those of the contrivers of the first and most barbarous stage of the present law of removal, the 14 Car. 2, c. 12, in the preamble to that Act, with the observations in the same Appendix (45).

them, the true value of which has already been shown (18 to 24). The motives here supposed to be "created" have been in fuller and more unimpeded operation for 300 years in all parishes than they ever can be in unions with "union chargeability," and have been developed under the stimulus of settlement for 200 years, which by the measure under discussion is to be removed. "*By creating* a powerful interest on the "part of ratepayers to expel its pauper population," pauperism is to become vagrancy of "real destitution;"—but all this terrible vision being raised by way of deduction from an imaginary new creation of an interest which in fact will be lessened, it may take its place in the fancy with the rest of the imaginary pictures already reviewed.

Recapitulation.

26. I trust then, that in this examination of the first division of this writer's second head, it is now apparent that the alleged resemblance of the condition of the now irremovable paupers to that of all the paupers when removal is abolished, is wholly imaginary and contrary to the truth (18, 19); that deterioration of the condition of the poor by that abolition is equally imaginary and false (19 to 22); that the universality he attributes to the cruelty of the guardians, and the aggravation of its severity, are gratuitous and self-conflicting assumptions, wholly opposed to the probabilities of the case (22 to 24); and finally, that so much of the change of policy as could by any possibility be conceded to him as in any degree probable, would have a most desired effect (18 to 24).

Effects of Settlement on the Education of the Poor: (27 to 41).

Of pauper education as the cure of pauperism, and the remedy for poverty.

And now, having disposed of these prophecies of evil, the imagined consequences of the abolition of removal, we come to this writer's panacea, his "only reasonable prospect of sup- "pressing pauperism," his "proper and lasting cure for the "evils the pauper population suffer," his "only real means "of permanently alleviating poverty." It is not so clear in this part of the discussion, as in the foregoing, whether the views of the writer are very generally entertained by those who commonly use the same arguments on the rest of the subject for the maintenance of the law of settlement. But independently of this fact, whichever way it be, it does not appear to be unadvisable, now that the topic is suggested, to examine the bearing of settlement upon the education of the people.

27. The writer's views are thus set forth: "The only rea- "sonable

" sonable prospect of suppressing pauperism rests upon the " possibility of the portion of the population within its influ- " ence being kept subject to local discipline adapted to " undermine the cause of abject poverty. Relief given under " conditions framed for this object, together with the *education* " *of the pauper classes, the only means* brought into play by " the instrumentality of the reformed administration of the " Poor-law, although at present but partially effective, give " us the best assurances for the future, unless the further ope- " ration of them should be impeded or altogether obstructed " by a new character being imparted to pauperism, and new in- " terests or objects being given to the ratepayers in dealing with " it. Education cannot be given to a population compelled to " practise vagrancy. It is only through its being locally fixed " that that benefit can be secured to it. *An immense good* " *attending settlement, far outweighing the evils properly attri-* " *butable to that law, is the interest possessed by the rate-* " *payers in educating the poor of their locality.* Although " this interest has always existed, it has failed to make itself " manifest till a very recent period, owing to the cloud of " prejudice through which the subject of pauperism has " generally been regarded, and the empirical treatment it has " usually received. Even the favourite proposal of promoting " [allowing] the free circulation of labour, the main reason " alleged for abolishing settlement, appears to me but little " better than a temporary expedient. If recent legislation " has left any practical restriction upon the movements of the " *bonâ fide* labourer, the amount is but small, and the advan- " tage of its removal would be quickly counteracted by com- " petition from augmented population. No permanent effects " are to be anticipated from any scheme that does not involve " a change in the intellectual condition of the labouring " classes; and this is by no means a necessary consequence " of the removal of the few remaining obstacles to the free " circulation of labour. *The attempts to give the interest* " *possessed by the ratepayers to educate the poor its due* " *operation are still extremely imperfect, not to say in many* " *respects ill-judged, from the causes which have hitherto* " *obstructed it. But we have daily proofs of the interests* " *being better understood, and of the instruction of the* " *pauper population being considered the proper lasting cure* " *for the evils they suffer.*

" If, however, by the abolition of removal or settlement, " union chargeability being retained, the pauper population " become fluctuating and movable, which must, it appears

" to

" to me, be inevitably the case, efforts at education will be " paralysed. Under the same circumstances, the interest of " the ratepayers in educating their poor will be lost sight of " in the more inviting prospect of diminishing the expendi- " ture of the moment, by driving them away. Both these " things concurring will deprive us of the hopes of the *only* " *real means of permanently alleviating poverty.*"

—his remedy confined to the pauper;—

Here, again, it will be observed, that the writer recognises no class but his " paupers." Nothing is admitted to have influence but " local discipline for the population within " the influence of pauperism," relief given under conditions framed with this object, " education of the pauper classes," and the like.

—his prophecy opposed to history and experience;—

Moreover, here, as everywhere else in this discussion, history and contemporaneous experience are treated as of no moment. Prophecy quite supersedes experience. " The " ratepayers' interest in educating the poor of their locality " has always existed;" but " it has failed to make itself " manifest till a very recent period." The period of the manifestation must be very recent indeed, for it is still a secret which, as it appears, has not yet travelled very far beyond the knowledge of the writer, and even he admits that the " attempts to give " this interest its due operation are still extremely " imperfect, not to say in many respects ill-judged, from the " causes which have hitherto obstructed it." Yet, in an influence which has hitherto failed in making itself manifest, in attempts hitherto extremely imperfect, not to say ill-judged, we are called upon to see the proper and lasting cure for the evils of the poor, the only real means of permanently alleviating poverty; against which " the free circulation of labour " is little better than a temporary expedient, " an advantage " to be quickly counteracted by competition."

It would be found that those who differ totally with this writer and his adherents upon the subject of settlement are assuredly no less friends to education than he; have not less confidence in its efficiency even as a cure for pauperism, and a permanent alleviation of poverty. But they have not his faith in the effects of the so-called " education " of pauper children to be given in workhouses under the patronising " interest " of the ratepayers."

Experience will not be thrust out of the consideration of this matter. Experience has not exhibited " the rate- " payer " as yet among the patrons and promoters of education. The ratepayers never yet originated the proposal of a school, but have in hundreds and thousands of instances

obstinately

obstinately opposed it. The landlords, the gentry, the clergy, the educated classes, and, in the workhouses the Poor-law Board and their Inspectors, have been in opposition to the prejudices and parsimony of the body of the "ratepayers" everywhere. The "ratepayers' interest" never yet submitted without a protracted contest to the organisation even of a workhouse school. Ratepayers of pauperised districts, where this "interest" is most intense, are certainly the last class amongst which experience teaches us to search for the founders, the benefactors, the subscribers, the occasional contributors of our educational establishments.* Experience points to quite other classes and quite other districts for the promoters of education.

But we are dispensed from a more minute development of the past influence of this "interest of ratepayers," by the writer's admission that "it has failed to make itself manifest "till a very recent period."

28. We have, then, mainly to do with its prospective influence, for the express purpose of stimulating which the writer proposes to perpetuate the law of settlement and parish chargeability.

The "ratepayer," granting all that is possible to the writer, can only be expected to extend his interest to pauper children, and the writer claims no more. It can only operate on the children within the ratepayer's control, practically the children in the workhouse. These, on the 1st of January 1852, were 40,557, and are no doubt decreasing in numbers, as every effort and every movement tends to that result.

Allowing, however, this number as a permanent quantity to the writer, we have here the utmost extent of the material upon which by possibility his "ratepayers' interest" can operate; if every one of these children was of an age and capacity to receive education, and remained sufficiently long under instruction to receive a tincture of education, they would be still only in the proportion to our population, in the same year, 1851, (17,922,788,) as one child to about 440 of our population.

But

* These are the remarks of the Poor-law Board: "The importance of affording to children in union workhouses such an education as may best tend to "raise them from the class of paupers to that of independent labourers and "artisans, is becoming more and more felt by boards of guardians. Still little "progress has been made during the year in the formation of school districts, "under the provisions of 7 & 8 Vict., c. 101; and although the matter has, in "some instances, been repeatedly brought before the guardians of the unions "proposed to be included in districts, the number of those opposed to the formation has appeared to be such as to preclude the hope at all events for the present, and especially in rural unions, that the provisions of the law in regard to "such schools can be made generally available."—*Third Annual Report*, p. 6.

—and to but a portion of them.

But it is manifest that not all these 40,000 workhouse children, including a large proportion of newly-born and other incapables, can ever attend the school.

Those capable of any degree of occasional attendance would probably be over-estimated at 35,000.* This would give one pauper child occasionally receiving instruction in a workhouse, for every 512 of our population.

If this number were reduced by proper deductions for the nurselings, for the discontinuity of attendance, and for the incapacity more common in pauper than in other classes of children, the whole who could in any proper sense of the term be said to be capable of imbibing even a workhouse-school education adapted to paupers, would probably not be found at any time fairly to amount to nearly 20,000, or to 1 practically educable pauper child in about 900 of our population.

Here is a hopeful prospect, a cheering prophecy of "the "only real means of alleviating poverty." Bind by all the bonds of settlement every man, woman, and child to their parishes. Create by this means a "ratepayers' interest" in making them "self-supporting." Wait till this interest has ceased to have "failed to make itself manifest," till the attempts to give this interest its due operation have ceased to be "still extremely imperfect, not to say in many respects "ill-judged," and then you will have about 1 pauper child out of a population of 900 people to whom you may give an efficient workhouse-school education.

Personal and social effect of education under the patronage of the "ratepayers";—

29. But when you have got the best workhouse-school organised for the education of pauper children, and when the years have passed necessary for their education, and they issue from the workhouse-school, endowed with all the accomplishments that it becomes the "ratepayer" to give a pauper child, what is to become of the accomplished pauper? He is still to be bound by settlement?—the writer says he is. He is then to issue into the parish where he began his education, a pauper still, as he was then; he is to bring his accomplishments to bear in competition with the other paupers, and with the independent poor of the neighbourhood. The maintainers of settlement will not accept for him the delusive benefit of a free transfer of his labour from his pauperised parish to an active mart of industry, such being but a "temporary expedient" to "be "quickly counteracted by augmented population." So we are to have as our result—one pauper child educated in a workhouse-school, to be thrown out upon his pauper parish, and who "is

* The return now printed (*see* p. 81 *infra*) gives 34,403, as the average number attending workhouse schools in the half-year ending Lady-day 1851.

"is to effect the lasting cure of the evils the pauper population "suffer," and is to be our "only real means of permanently "alleviating poverty" amongst a people, in numbers, perhaps as 500, perhaps as 900, to his single self.

Since Thalaba, even poetry has scarcely had a glimpse of so wondrous a child, so sublime a destroyer of the powers of evil, as this workhouse-educated pauper boy, or more probably, girl.

30. So hopeful a result should give us a great curiosity to ascertain our chances of attaining it surely, and the price we are to pay for it.

The cost at which this is to be secured, viz.:

And first of all, the price. For the hope of the manifestation of this expected pauper boy or girl amongst its 900 neighbours, we are to reject all facilities to enable all these to better themselves by seeking remunerating fields of industry. Settlement is to be retained as an active mechanical power, to work the all-necessary screw on the ratepayer, who is alone relied on in his torture to produce this "education."

—the compression of the poor;

—the pressure retained on the ratepayer;

Yet the *bonâ fide* labourer, in a pauperised district has some need, too, of education for his children. In such a district his children are hopeless of continuous employment. As children, they are necessarily idle and corrupting, if not at school. Industry of children is truly not the most desirable of all things; but as compared with idleness, it is an unquestioned benefit. Even in Wilts or Dorset, the paupers are not as 1 to 15. Even there, some 12 "*bonâ fide* labourers" to each single pauper have children to be educated, or else to be idle or in mischief. Even there, should all the paupers be efficiently educated, still, if the education of "*bonâ fide* labourers'" children be not also provided for, we must have 12 labourers' children corrupting for one pauper's child educated. It therefore behoves us to be sure that settlement, the congestion of people, pauper or others, where they are, that pauperism and high rates, and the tightening of the screw on the "ratepayer," is favourable to, or at least consistent with the education of "the *bonâ fide* labourers'" children, as well as the pauper's, or we shall be ruining 12 labourers' children in order to extort from the ratepayer an education for one pauper child.

—the loss of education to the children of independent poor;

Is, then, the chance, the certainty of education of children, whether of the independent or the pauper poor, more surely secured or increased by retaining this screw of settlement upon the ratepayer, or by the alternative of allowing "the free "circulation of labour?"

Contrast the districts open to every *bonâ fide* labourer with those in which he is now by some cause congested. In the one, the

the wages double for the father; his household well supplied with necessaries, even with comforts and decencies; whatever his character, whatever his condition, his home still, in many respects, superior to what they would be with the same character, and in the comparable condition in a pauperised district. Contrast the moral and physical influences of home, of daily life, on the child,—the true education,—in these two cases; and if the children are, as circumstances tempt them, set to earn their own bread,—not a desirable course of education,—even this is probably better than education, if they could command it at all in a pauperised parish, in a workhouse-school. But if, on the other hand, in the district of remunerative labour, the labourer can more easily get school education for his children,—if this education be amongst the children of other active parents, amongst a population where all habits are those of incessant industry and enterprise,—if at its end the child emerges into a hive where there is certain and profitable employment for all,—how different, and how much more effective, with all its drawbacks, is such an education, than the best workhouse education for a child emerging upon a pauperised district.

—the loss of education for out-door pauper children.

But this is far from the whole of the interests involved in the question. There are also the out-door "pauper" children, whose education is, amongst paupers, of the most importance of all. The mere structural, mechanical and economical, arrangement of a workhouse, independently of the school, provides some occupation, some classification, some restraints, some safeguards for their infant minds which guard them from the temptations, the examples, the opportunities by which the morals and the hopes of the out-door pauper are too frequently sacrificed. How are these out-door poor children to be educated by the ratepayer under the constriction of settlement? Will district schools provide for them? It would be absolutely impossible, under any circumstances, to provide district pauper schools numerous and close enough for the attendance of out-door paupers. But might not all these out-door paupers be received as boarders and lodgers in the district schools? Such a proposal implies the reduction to absolute permanent in-door pauperism of the educable part of the 264,000 present out-door pauper children; a multiplication more than seven-fold of the present in-door infant pauperism. But for so beneficial, moral, and public an end as the education of all the educable infant poor, perhaps even such an addition as this to the strongest form of pauperism, and to the burden on the ratepayer of its maintenance, would not be resisted by "the ratepayer" so interested by means of the law of settlement

settlement in the education and self-dependence of paupers? Here, unfortunately for my opponent's prophecies, his whole hopes are frustrated by the evidence of the very latest experience. The Poor-law Board, to whom he makes his communication, early in the very same year, announce in their annual report to Her Majesty their abandonment of all hopes that these schools can be provided; and, in direct contradiction to the views of this writer, they attribute the whole difficulty to "the ratepayers'" representatives, the guardians, and this, too, the most especially in those very unions which are, according to the theory of the efficacy of settlement as the incentive to education, its land of promise, viz., the rural unions.* To a common apprehension, then, the prospect of education for these 264,000 out-door pauper children to be provided by "ratepayers," under the compulsive interests of the law of settlement, utterly fails, and we have no assistance to divine what it is proposed that the "ratepayer" shall do with them.

In this difficulty, then, we see no actually attainable means of education for pauper children beyond that available for less than one-seventh part of their numbers (34,403) in the workhouse schools; and both experience and the best authority are opposed to the hope that the ratepayer will attempt it either by means of district schools, or in any other way.

Here, then, are, even amongst the pauper children, seven-and-a-half children for whom the ratepayer neither does nor will provide education, against one pauper child for whom he does or will perhaps provide it.

31. Add these seven-and-a-half out-door pauper children to the twelve independent poor men's children—taking the proportion of the children in pauper and independent families to be the same--and we have ninety-seven and-a-half children whom the ratepayer does not and will not educate against the one pauper child attending the school with some degree of constancy, with some prospect of practical benefit, and we have here the proportion of the education which we want as ninety-

On the whole, his plan contemplates the education of one pauper, and the neglect of at least ninety-seven other poor children.

* "Little progress has been made during the year in the formation of school "districts under the provisions of the 7 & 8 Vict., c. 101; and although the "matter has, in some instances, been repeatedly brought before the guardians "of the unions proposed to be included in districts, the number of those op-"posed to their formation has appeared to be such as to preclude the hope, at "all events for the present, and especially in the rural unions, that the provi-"sion of the law in regard to such schools can be made generally available. "The difficulties which are found practically to obstruct the formation of school "districts, show that workhouse schools must continue for some time to be the "principal means of training pauper children."—*Third Annual Report of Poor-law Board.*

ninety-seven-and-a-half to that education which the "ratepayers'" interest provides for as one.

Our "only reasonable prospect" must then, on fuller consideration, appear to be desperate, even for the pauper population itself, and the writer will scarcely inoculate other people not already on his side with his faith, that the "ratepayers' interest" in educating the one pauper child within the scope of his power and his will, will satisfy the demands of the true friends and approvers of education for an attainable education for the ninety-seven poor children, seven-and-a-half paupers and ninety other still more hopeful and deserving objects.

Comparison of the prospect of education of the poor with free circulation;—

32. Although the writer's expectations from the "ratepayers' interest" be against all reasonable hope, we are by no means to be hopeless of the required benefits from another quarter; but it is the quarter exactly opposed to the cynosure of the maintainers of settlement; it is from the quarter where settlement is most nearly a nullity to the natives, where unsettled and inamovible poor are the most numerous, where wages are highest, and poor-rates lowest, and the "ratepayers' interest" is at the least.

—statistics of education in the free districts and in stagnant districts;—

What does experience tell us of the provision made for education of all classes of poor in the districts of high wages and low pauperism (7), where the screw of settlement on the ratepayer operates with its least force; and what in the opposed districts of low wages, prevalent pauperism, and where the screw of settlement acts on the ratepayer with its fullest power? Does this factitious motive on the ratepayer in truth produce a provision for the education either of pauper children, or of the independent poor?

It will be seen on examination of facts, that the bonds of settlement are as inimical even to the very pauper and his children in regard to their interest in education, as it is to the independent poor themselves.

The examples and evidences shall again, for the sake of brevity only and the clearer contrast, be taken from the cases at the highest and lowest extremes of pauperism and wages.

Compare the writer's prospects and this table,—which shows the number of schools in different districts, aided by the national grants under the control of the Privy Council for Education, and consequently exhibits a measure of the efforts made in these contrasted districts respectively in connexion with the schools:

—	1. Paupers relieved, 1 January 1852.	2. Schools in the Annual Grant List, 31 October 1849.	3. Schools in the Annual Grant List, 1851.	4. Total Number of Schools aided by Grants, 1833–1849.	5. Grants for Erecting, &c., of Schools, 1833 to 31 October 1849.	6. Annual Income raised locally by Endowments, Subscriptions, Collections, School Pence, &c.	7. Accommodation provided in these Schools, 31 October 1849.	8. Average Daily Attendance*.	Pauper Children under 16 years of age. 9. Out-door, 1 January 1852.	10. In-door, 1 January 1852.	11. Attending Workhouse Schools, Average of Half-year ending Lady-day 1851.
					£. s. d.	£. s. d.	*No. of Children.*				
All England and Wales	802,736	1,113	1,344	3,255	399,358 – –	199,062 – –	622,823	246,979	264,765	40,557	34,103
Cumberland	8,323	18	15	31	3,183 10 –	1,823 13 –	6,854	2,465	2,506	707	465
Lancashire	63,989	118	160	305	56,948 10 –	25,594 18 –	90,533	29,015	25,551	2,629	3,217
Cheshire	14,105	38	48	100	18,210 8 –	6,620 3 –	24,576	7,456	5,148	535	448
West Riding	57,907	189	221	386	56,898 15 –	26,236 – –	91,228	36,428	826	1,044	566
East Riding †									3,366	548	367
North Riding									2,615	306	158
TOTALS‡	144,324	358	444	822	135,541 3 –	59,674 14 –	213,191	75,364	54,012	5,769	5,221
Gloucester	20,488	37	40	109	10,356 5 –	6,982 10 –	20,132	8,892	6,376	1,126	1,255
North Wilts	20,409	40	37	100	7,509 9 –	3,962 16 –	14,231	5,548	5,898	1,214	1,050
South Wilts †											
Suffolk	25,750	16	18	84	6,769 1 –	3,856 16 –	12,125	5,269	7,884	1,592	1,199
Cambridge	14,845	17	17	49	4,820 5 –	3,864 16 –	7,465	2,965	5,088	905	619
Berks	12,481	12	15	39	2,788 10 –	2,284 6 –	5,470	2,536	3,380	952	816
Dorset	14,605	16	16	52	3,829 12 –	2,011 1 –	5,801	2,708	4,887	612	533
TOTALS	108,578	138	143	433	36,073 2 –	22,962 5 –	65,224	27,918	33,513	6,401	5,472

* The average daily attendance is only ascertained for a portion of the Schools, about two-thirds of the whole. This proportion runs throughout the list, and is, it may be presumed, fair for all districts.

† The Return for Schools for Yorkshire does not distinguish the Ridings. If the distinction were made, it would materially strengthen the contrast. The same Returns do not distinguish North from South Wilts.

‡ If the Metropolitan counties, Middlesex, Surrey, and Kent, were added, these numbers would be increased by—

1. Paupers relieved	85,578	5. Grants for the Erection of Schools, 1833 to 1849	£. 58,796
2. Schools in Annual Grant List, 1849	163	6. Annual Local Income	42,440
3. Ditto ditto 1851	181	7. Accommodation for Children	82,913
4. Total Number of Schools aided	373	8. Average Daily Attendance	47,892
		9. Pauper Children, Out-door	27,323
		10. Ditto In-door	6,536
		11. Attending School, 1851	5,752

—this omits the best features of the free districts ;—

Though these schools are but a part of the results of the development of the present movement in promotion of popular education,—a movement little known in its effects in the writer's land of promise, the pauperised districts, and almost confined to the same districts as those in which the humble schools receiving State assistance also most abound,—it will still be most pertinent to the question in hand to omit all reference to the progress of the higher education, and to confine ourselves to these better authenticated facts relating to this branch, on which hang the chief hopes of the poor child's education. These are the schools in which for the most part the out-door pauper child as well as the poor labourer's child, can alone get the required instruction.

comparison of *population, rates, and pauperism* in the two districts;

33. In the first group, where the population is 4,276,984, where the poor-rates are as 1*s.* 2*d.* in the pound, or 3*s.* 10*d.* per head on the population, and where the paupers are but as six-and-a-half to one hundred;* where, therefore, in all England, "the ratepayers' interest," the writer's sheet-anchor, is the weakest; where settlement, his motive power to work this interest, is the weakest; what in this district is the proved state and progress of the education of the poor? What, on the other, is its state and progress in the contrasted district,—where the population is 1,565,076, the poor-rates are 2*s.* 1*d.* in the pound on a proportionally small and highly rated property, or 9*s.* 6*d.* per head on the whole population, and where, therefore, the operation of settlement on the "ratepayers' interest" is most stringent?

We find the district of high wages, light rates, and free circulation, with a population three times as great, yet with only a third more paupers altogether, 144,000 to 108,000.

comparison of the free and of the stagnant districts in *the number and proportion of schools provided ;*

34. But we find the free district with more than its proportion of schools to its population; more than three schools to one that we find in the hopeful land of settlement; 444 schools to 143. (Table, Col. 3.)

The test of the influence of "the ratepayers' interest" upon education,—the proportion of schools to paupers,—is, for all England, 1,344 schools, (Col. 3), to 802,726 paupers, (Col. 1), or as one school to 600 paupers. But in the district of

* In this and in all the succeeding comparisons another great injustice is done to the free district. Its pauperism, as returned, is assumed to be all its own, whereas it is in this district that the great numbers of inamovable and unsettled poor are relieved; while in the stagnant district the returns show none but the settled pauperism. It is probable that in all the comparisons the merits of the free district, as measured by the provision of schools in proportion to the paupers, are diminished by nearly or quite a third.

of free circulation, and of immigrants and strangers, we have one school for every 325 paupers, nearly double the general average proportion; while in the hopeful district of settlement and stagnation, the schools are as one to 750 paupers, or 25 per cent. below the general average, or more than 50 per cent. below the free district. In the district of free circulation, the provision made for the natives and strangers alike, is, when calculated in reference to paupers, in a proportion nearly twice and a half greater than in the district of settlement and stagnation. If in the former the proportion prevailed which prevails in the latter, then instead of the 444 schools it now has, it would have but 189. If in the stagnant district the proportion of the free district prevailed, then their schools would be raised from their present number, 143, to 336. Thus far, then, the tie of settlement and the extreme of "ratepayers' influence" seem to coincide with a provision for 143 schools, instead of the proportion of 336, which is that of the opposed district, hopeless, by the writer's theory, of all education for the poor.

comparison of *expenditure for providing schools* in these districts;

35. Again, to test the operation of "the ratepayers' interest" in educating "the poor of their locality," let us examine the proportion of expenditure incurred in these contrasted districts, in respect of this class of schools.

The grants made by the Committee of Council are always proportionate to the sums provided locally for the same schools; but it is well known that the group of counties in which the wages are highest and the pauperism lowest, are precisely those in which a wide-spread opinion rejects the aid of the State and its interference in education; and it is exactly that district in which the proportion to each other of the State grants is the least, and that of private and local munificence is greatest. The comparison is then altogether unjust to its high comparative merit; still, measured by the amount of the grants of the Committee of the Privy Council, what is the effect of the comparison of "free circulation" with settlement?

In all England, the grants from 1833 to 1849 were 339,358*l.* (Col. 5), or about 9*s.* per head upon the present numbers of paupers, or about 5½*d.* per head of population. In the district of free circulation, the grants are 135,541 *l.*, or as 18*s.* 6*d.* per head on the present number of paupers, or more than the double of the general average in reference to pauperism, or as 8*d.* per head of population, or more than one-half, or 50 per cent., above the general average by reference to its population. In the districts of settlement and stagnation, the grants are 36,073*l.*, or as 6*s.* 8*d.* per head upon

upon its present number of paupers, or as 5½*d.* per head of population. In other words, the district of free circulation, the home of strangers, has made for all its population, native and imported, settled or non-settled, a provision 50 per cent. greater in proportion than the district of stagnation has done for its settled natives alone; and as compared with their respective pauper population, as 18 *s.* 6 *d.* to 6 *s.* 8 *d.*, or nearly as three to one, or greater by 275 to 100.

Comparison of *annual expenditure* in these districts *for maintaining schools;*

36. Exactly in the same proportion is the annual income provided locally in the two contrasted districts, the yearly sums, respectively, being in all England, 199,062*l.*; in the district of free circulation, 59,674 *l.*; and in the stagnant district, 22,962 *l.* (Col. 6).

If the free district only preserved its proportion to the stagnant district in relation to its paupers, its annual provision would only be 30,000*l.* instead of 60,000*l.*

Comparison of *the accommodation in schools* provided by these districts;

37. And as to accommodation provided in these schools, according to the estimate of the Committee of Privy Council, what is the provision respectively made by the two districts?

In all England, the provision in these schools is for 622,823 children (Col. 7), or as for one child to twenty-nine of the entire population, or as for one child to 1·29 pauper, or nearly as for ten children to thirteen paupers. In the free district the accommodation is for 213,191 children, or as for one child to twenty of its entire population, or forty-five per cent. above the average, or as 1·5 children to one pauper, or as 1·15 children to ten paupers, or ninety per cent. above the general average for all England. In the stagnant district the accommodation is for 65,224 children, or as for one child to twenty-four of its population, or as for one child to 2·85 paupers, or as for ten children to twenty-eight and a half paupers. Tested by the operation of the tie of settlement and the rates of pauperism, the free district makes provision for schooling its children, native and foreign, as four-and-a-half times, or 450 per cent., greater than the hopeful district of settlement.

38. These considerations appear to be decisive as to the operation of "the ratepayers' interest in educating the poor of "their locality." The facts show conclusively that the great efforts in education are made where "the ratepayers' interest" is least, where settlement is, as to the native population, most nearly a dead letter, and where the phenomenon of the free circulation of labour, "the temporary expedient" of the writer, is most conspicuously displayed. And conversely, it is equally apparent that where "the ratepayers' interest," the screw of settlement,

settlement, is most excruciatingly felt, it manifests its operation on education, if at all, in efforts below the average of all England, and immeasurably less than those of the free districts.

examination of the assertion that the ratepayers' efforts are now increasing;

But is this a mutable phenomenon? Is it true that a change is operating on ratepayers for the better? that "the "operation of the ratepayers' interest is now rapidly developing "itself?" that "we have daily proofs of the interest being "better understood, and of the instruction of the pauper "population being considered the proper and lasting cure of "the evils they suffer?"

In Columns 2, 3, 4, and 5, we find the result of the "proofs" afforded us by the experience of the Committee of Privy Council. In Columns 2 and 3, we find the numbers of the schools in the contrasted districts at the two most recent dates to which their published information extends; that is, down to the 31st December 1851. In all England, the number of schools on the list of annual grants in October 1849 was 1,113; in December 1851 they had increased to 1,344, or by 231, or an average of twenty-one per cent. in these fourteen months. In the free district, the number of such schools in 1849 was 358; in 1851 they had increased to 444; that is, by 86, or at the rate of twenty-four per cent. In the stagnant district they had, in the same period, increased from 138 to 143; that is, five, or at the rate of three one-sixteenth per cent. In other words, in this the most recent period of which we have any account, the progress in the free has been more than seven times as rapid as in the stagnant district; and this progress is the more striking as it is achieved upon its already vast superiority.

Viewed in more minute detail, the "proof" is more striking still. In the county of Lancaster, for instance, the district which is of all England the greatest receptacle of strangers; where the natives scarcely feel the bond of settlement; where the mass of paupers is more composed of strangers and the progeny of strangers than in any other place in England: where the greatest proportion of unsettled and irremovable poor is found; where, therefore, this writer's speculations, and the common assertions of those who think with him, would lead to the inference that the poor would be most neglected and most oppressed; and where, on his hypothesis, the interest in their education must be at its minimum; we find, in despite of all such speculations, this to be the fact, that in this short period these schools increased from 118 to 160; that is, forty-two in all, or at the rate of thirty-six per

cent., or by fifteen per cent. more than the general average for all England. In Wiltshire, the other extreme, where all the population is native and settled, where there is the smallest proportion of unsettled and irremovable poor, where, therefore, the regenerative power of settlement, if it have any, is at its maximum, and the screw on the ratepayer is wrenched home, what is the encouraging contrast? These schools, which in 1849 were forty, have actually diminished in number to thirty-seven; they have disappeared at the rate of seven-and-a-half per cent. Instead of progress, even at the general average of twenty-one per cent., or at the present rate of the free district of twenty-four per cent., or of Lancashire, the stranger's home, of thirty-six per cent., we have, in the chosen land of settlement, the supposed incentive to education, an actual retrogression in these schools at the rate of seven-and-a-half per cent. in fourteen months.

Nor is this a phenomenon of fourteen months' duration only; a transient spirt of energy in the one district, a temporary lassitude in the other. The whole tenor of this experiment is parallel. The "proofs" may be seen in the comparison of Columns 3 and 4. In the whole period from 1833 to 1849, the number of grants to the free district had been 822, to the stagnant 433 (Col. 4), or nearly double. In 1849, the schools receiving casual grants, in the free districts, were 358 to 138 in the stagnant, or about as two-and-a-half to one. In 1851, the schools receiving annual grants are, in the free districts, 444 to 143 in the stagnant, more than treble. It is therefore demonstrated that in the whole period of which we have the means of comparison, or the materials of "proof," the relative progress of the free district has been an accelerating one, and that of the stagnant district has been relatively retarded.

Such appear to be the "proofs" known to the public, that "the ratepayers' interest," that the bond of settlement in the districts where their operation is greatest, are, if they have any connexion with it at all, most opposed to education, instead of being favourable to it, as the writer asserts. The education of the higher kind is here left out of view; but that is an aim almost exclusively of the free districts. There all the noble endowments and bequests, all the great independent efforts, are made.

comparison of *the use made of schools* in these districts;

39. But the provision made for education may be ample, and the use made of this provision may yet be small; the contributors may be liberal, but those for whose benefit the liberality is intended may not avail themselves of it. Is there any reason to suppose that the more generous provision of

of the free districts is worse husbanded or less effective comparatively than the more parsimonious provision of the stagnant district? May we, from some fact of this kind, find a proof of the superior efficiency of the "ratepayers' interest" over all other interests in the education of the poor?

Very far from it. The Committee of Privy Council have shown the average daily attendance at about two-thirds in these schools, the proportion being taken very equally throughout the country. What does this show? That in all England and Wales the average attendance was of 246,979 children (Col. 8), or as one child to seventy-three of population, or to three-and a-quarter paupers; that in the free districts the attendance was 75,364, or one to fifty-six of population, or thirty per cent. above the general average of the whole of England and Wales, or as more than one child to two paupers, or, again, more than seventy-five above the general average. In the stagnant district, on the other hand, the attendance was of 27,918 children, or one child to fifty-six of population, just the average of the free districts, or as one child to 3·85 paupers, or twenty per cent. below the general average, or nearly fifty per cent. below the free district.

By these "daily proofs," if they may be called such, and this writer has not indicated any better, or any at all, we perceive that not only is the provision for education of the poor immensely more liberal in the district of free circulation than in the stagnant district of settlement, but that the practical use made of the provision is, as measured on this writer's principle, in the ratio of pauperism or the ratepayers' interest, double the use made of the provision in the stagnant district.

But this is a comparison altogether unfair to the free district. It is there that all other education is most active; there are multitudinous private schools not appearing in this return, supported entirely by the labouring classes themselves, receiving a vast number of children not appearing in these returns, the like of which are almost wholly absent in the stagnant district. There, also, is the greatest and most efficient of all causes in operation for the diminution of attendance at schools,—the enormous value of children's labour. There the school has to encounter the competition of the thousands of employers and millions of capital tempting the child at an age at which, in the other district, it is still an inmate of the workhouse school, with the inducement of wages often as great, often twice as great, sometimes three times as great, as those of an adult in Wilts. Not that this is to be regretted; for the true education even of the child who labours, bad as it is,

has more solid value than any education in a workhouse-school in a pauperised district will ever have. But so it is, that in spite of all this subtraction for independent private education, the yet greater subtraction for children drawn from school by industry, we still have an attendance in the free district, exceeding the average for all England and Wales by thirty per cent., as measured by population, or seventy-five, as measured by relation to paupers; while, in the stagnant district, where able men's labour is a drug, where children may be considered as all a burden, where multitudes on this account alone are received into workhouses, where, in short, the great bulk of the infant population are as incapable of providing for their independent education as they are free for the instruction of the schools provided for them, the attendance still only reaches the average of the other district, as measured by population, and only reaches to one-half, as measured on this writer's principle, by the turns of the pauper screw on the interest of the ratepayer.

comparison of *education in workhouse schools* in these districts;

40. Thus far we have the only "daily proof" accessible of the truth of the allegation, that "the interest of the ratepayers "in the education of the poor is better understood;" but we have considered them as bearing on the education of the whole "of "the poor" on the independent poor and their children, on the out-door pauper and his children. It seemed to me to be incumbent on us, first, to consider the interest in education of the ninety independent poor children, as more numerous, more deserving of thought, and altogether a more important and interesting national and social object, than the one-ninety-seventh in-door pauper child.

But that there may be no loophole for escape again into vague assertion upon this part of the subject, it may be allowed me to examine also this almost contemptible twig of one of the great branches of the subject of "the education of the poor."

And, first, be it observed again, that the district of high wages, low poor-rates, free circulation of labour, is the district exclusively in which all liberal improvements, all spontaneous efforts for the industrial training of pauper children, all the most noble, nay, magnificent establishments, have been made for this most wretched class. The hopelessness of all such efforts in the rural districts, the stagnant districts of perennial settlement, is described by the Poor Law Board in the extract already given from their last report (30).

But such as the provision is, earnest and liberal in the free districts, mean and grudging by "the ratepayers" in the stagnant

stagnant districts, still what is the relation of the numbers of those who, under this now "rapidly developing interest of "the ratepayers" at the very last moment to which our information extends, enjoy the benefit of pauper education in workhouse schools?

Let it be borne in mind, that a child cannot at the same time be in industrial service and in a private school, and in a national or British school, and in a workhouse-school; that in the free districts the children are largely absorbed in all these; that in the stagnant district there is for children only idleness, or the national or British school, or the workhouse school; that in the latter district the helplessness and pauperism of the parents is a great and constant force for the collection of children into the workhouse-school, a force happily small and feeble in the free districts; that, in fine, in the comparison merely of the workhouse-schools, the stagnant and pauperised district has of necessity the wretched advantage of a greater proportion of infant inmates.

And now, again, we have to recur to the proportion of all children in workhouses, before referred to (40,557), (Col. 10), one workhouse child to 450 persons of all classes. If all these were educable, what would be their influence on the 802,726 actual paupers twenty times their number, in "permanently "alleviating poverty?"

But the numbers found to attend occasionally at the workhouse schools during the half-year ending Lady-day 1851, was, in all England and Wales, 34,403 (Col. 11.) Of these, in the free district, 5,221, or about 3½ per cent. on the whole of the paupers, attended. In the stagnant district, 5,473, or rather more than $5\frac{1}{16}$ per cent. In this proportion the free district wanted 2,100 children attending its workhouse schools to be in the same proportion as the stagnant district.

So against the enormous and incalculable advantage of the free district in independent and profitable occupations, and its incidental education of hundreds of thousands of children, in its unreported numbers of children having private independent schooling, in their more than double proportion of children in the schools aided by the Committee of Privy Council, amounting to a proportionable excess of 40,000 children attending daily in the district,—against all this we have to set off a proportion of 2,100 children less attending at its workhouse-schools than in the stagnant district.

In short, this daily attendance in the free district, 75,000, is in excess of the proportion of 27,000 in the stagnant district by more (viz., by above 40,000) than the number of all

the workhouse children of all ages and all incapacities throughout all England and Wales; by 5,000 more than all who attend workhouse-schools throughout all England and Wales.

Its excess in proportion of attendance at both these kinds of schools, 40,000,* is nearly twenty times as great as its deficiency, 2,100, in the numbers attending at workhouse-schools.

Long may it be so, and far far deeper may it daily fall in its one inferiority, its less proportion of workhouse pauper children.

estimate of the respective *prospects of the "free" and of the "stagnant" districts.*

41. But now let us carry this comparison out to its prospective conclusion, taking the two extreme cases for illustration, —Lancashire, the district of the freest circulation of labour, where, according to this writer, the poor, being so largely strangers, must be oppressed, and the ratepayer's interest being so small, the cause of education must languish or retrograde; and Wiltshire, at the other extremity, the most stagnant district, where the circulation of labour is at the least, and the county where the pinch of settlement is the tightest, and on which, by consequence, the writer's brightest hopes are fixed. What is the prospect? If Lancashire, the hopeless, should continue to go on, as it does at present, adding forty-two to its schools every fourteen months, it will, in the year 1866, instead of 160, its present number, have made the magnificent provision of 678 schools. By that same year, 1866, if Wiltshire, the hopeful, should continue its present retrograde progression, decreasing its schools by three in every fourteen months, it will have arrived at the consummation of the policy by which we are taught to expect "the proper and "lasting cure for the evils of the pauper population," "the "only real and permanent alleviation of poverty;"—it will just have no schools at all.

So different are the results of aspiration and of calculation.

I trust that this fruit of "the ratepayers' interest," the only product of settlement specifically mentioned by the writer

	Attendance in Workhouse Schools.	In Schools aided by Privy Council.	Total.
Free District - -	5,221	75,364	80,585
Stagnant District - -	5,472	27,918	33,390
" Excess of Free District - -			47,195

writer as desirable, sufficiently shows the nature of the tree on which it is borne. I trust that it is now to be seen, even by him, how salutary for the education even for the paupers—what "an immense good, far outweighing all evils attributable to it"—how much "the proper cure for the evils the pauper "population suffer"—"the only real means of permanently "alleviating poverty"—are found in the constringent operation of settlement upon "the ratepayers' interest."

Invasion of Vagrancy, and Urban and Rural Ruin: (42 to 45).

42. But still, though no other benefits are foretold from its retention, we are told that there are other serious results to follow from the abolition of the law of removal.

Other prophecies of mischief examined;

The writer says, "Although I am of opinion that these "objectionable consequences will follow the adoption of the "Bill, other results of a very serious kind may be anticipated; "and to one of these I will confine my remaining observations "upon this part of the subject. The operation of the compe- "tition between unions in driving away their poor will, most "probably, in practice be very unequal; and while many "unions will succeed in their attempts to rid themselves of "their burden, many will fail in doing so for want of resolu- "tion or perseverance, and will consequently become overrun "with poor. It is probable that the unions which will fail will "be those comprising large towns or populous parishes. In "such places there is generally a want of combination for "management, unlike the case of most rural unions, in which "the interests of the ratepayers are practically under the direc- "tion of comparatively few persons, large owners or occupiers, "who possess one common object in diminishing expenditure "by a particular policy. An increasing balance of pauper "population will thus become chargeable to towns and "populous places"

towns and populous places to be overrun with poor;

In the discussion of any legislative proposal whatsoever, the future effects of the proposed measure are manifestly the only subject for consideration. There are two ways of setting forth these future effects. The one is to ascertain by a fair and industrious examination of the persons and things to be acted on, and of the agency which is to be brought to bear upon them, the probable effects of the measure; and in this examination, the history of the past condition of the same classes of persons and things, as affected by the same agencies, or by similar agencies, or by dissimilar or opposite agencies, affords some of the best data for estimating the effects

Kinds of political prophecy;

effects of the new agency proposed to be put into operation, or out of operation, or to be modified in any supposed way. The labour involved is often considerable: but it is such as no person really competent to discuss the proposal can be incapable of, and no conscientious inquirer would think of evading: and I for my own part humbly trust that in my Report, and in this Supplement to it, I have used my best endeavours to ascertain the real elements of the subject discussed, and the nature and the past operation of the agency of settlement, as a basis of any prognostications which I have ventured to make as to the probable effects of the abrogation of the present law: and I believe that I am not too partial to those who agree with me, when I say that this is the course which is commonly, and as a rule, pursued by them.

But there is another way of propounding the future effects of a legislative act. This is, to dispense with all examination of elements and agencies, and all historical retrospect, and simply to assert the effects, the hope or fear of which, sufficiently widely-spread, will carry or defeat the measure. If the purpose be to carry a measure, the way is to assert for it every possible and every impossible operation of a desired kind,—if to defeat it, to prophesy every credible mischief, and if the risk of detection be not too great, not to stop at this, but to prophesy boldly all that may serve the purpose, however incredible, impossible, and self-conflicting. Such, I must say, is the most common way with those who seek to dissuade us from abolishing the Law of Removal. We may deal with these reckless prophecies in good faith, and simply address our labours to disprove them by facts, history, or reasoning, as I have hitherto tried to do: but such a course is tedious, and perhaps unprofitable, and at some point must be abandoned from mere weariness of the labour. At such a stage of exhaustion, we are tempted to take a shorter way, and simply to exhibit the defects of the prophecies by the light of their own inherent inconsistencies.

The writer whose communication I have in the preceding remarks perhaps too painfully examined, grave and practical as his manner is, is so liberal in the use of his fancy in the composition of his prophecies, that it becomes a matter of doubt whether they should not be criticised æsthetically, and rather as a work of imagination, as illustrations of the oneiropolic art, than as a subject of administrative or legislative business.

There is a peculiar advantage in the work of fancy or prophecy that you can make your machinery alternately as strong

or

or as weak as you please. It may at your pleasure crush a world, or gently smooth the down on a butterfly's wing.

—inconsistencies of the writer's prophecies,—

Thus in a prophecy of the disasters of the abolition of removal,—when it is desired to shew that it will exterminate and demoralise the poor universally, convert them all, without exception, into vagabonds, then it is that we may be told, that "*all* paupers will be placed in a position of persecution," —"a clear direct interest will be created in *every* union to get "rid of *all classes* of its chargeable poor;"—"it requires no "experience to prove this result; it is *an inevitable conse-* "*quence* of the relative situation in which ratepayers and "paupers will be placed;"—"ratepayers will not be back- "ward in using *every* instrument at their command for in- "ducing or driving applicants to make their claims for "relief elsewhere;"—"if only some unions do this, others "must do the same in self-defence," &c. &c. Here we have, at the summons of fancy, the desired premises to the desired conclusion, that "if this consequence should *become universal*, "or at all general, the effect on the pauper population would "be most deplorable." Here we have a picture of causes and effects universal in their mischief. Here is no refuge left open to the poor on the face of the land, no resting place for their feet, no alternative but universal everlasting vagabondage.

—of universal vagrancy;—

—of settling on the towns;—

But this most deplorable picture being presented, its pathetic effects produced, its work done upon the recipient imagination, it is a legitimate æsthetical use of the poetical machinery that it should a bit abate its action; the god of the machine may sleep awhile, and the personages of the fable play out their independent parts. It is now,—having exterminated and depraved the poor universally,—required by the lugubrious tone of the whole epos, and by poetical justice, to make victims also of their masters, for whose profit and at whose pleasure the poor have been so used, and who are now too triumphant and prosperous for the due effect of the picture. It is desirable now, for the requisite excitement of terror and pity, to oppress some or all of the unions. If not all, it will be the most striking effect to oppress the largest and the most populous. Be it so. It is, again, as easy as fancy. Call off a little of the poetic force, put a damper on the poetic fire, a break on the poetic machinery—let it, which before acted universally, now only act partially—let the god sleep with one eye—let him entirely wink at the towns. The thing is done. Removal abolished, all the rural places of small population drive all their poor into all the towns and populous places.

Here

Here are, by a mere reversal of the action of the poetical machine, all the great populations laid low by pauperism.

It is certainly a prosaic impertinence to call to mind, that if the paupers become an encumbrance on the towns and populous places, they have precisely, so far as this evil reaches, the refuge that was before denied to them; that so far as they make use of this refuge, they are not the vagabonds into which they were just before universally converted.

—of the defencelessness of towns;—

A work of imagination should abound in the quality. Here the verisimilitude of this latter action is enhanced by a most unexpected turn of fancy—"The places which may "fail in ridding themselves of their burdens, for want of reso- "lution or perseverance, it is probable, will be the large "towns and populous parishes. In such places there is gene- "rally a want of combination of management, unlike the case "of most rural unions."

To say that originality in fiction is exhausted! Here is as bold and novel an invention as any when the world was young. Who would have expected, this time, towns and populous places failing for want of resolution, for want of combination for management? And equally bold is the counterpart, "un- "like the case of most rural unions." It is certainly entirely new that "most rural unions" have a combination for management, that towns and populous places want. It was always thought before, and said in common prose, that all combinations had first and chiefly taken place in towns and populous places; that they had formed all the unions, had provided all the early workhouses; that London, Bristol, Exeter, Norwich, Canterbury, Bury, and a long succession of the most populous towns, were a century and a half ago the spontaneous originators, by practice and example, of the administration only lately enforced by national power on the reluctant rural unions; that such places always had special officers specifically organised for their protection; that the towns and populous places have thus far succeeded in keeping their pauperism and expenditure low, just in proportion to the greatness of their population.*

It must be allowed that this picture of the resolution, the perseverance, the combination "of most rural unions," is both original and surprising.

Consolation consistent with the admission of these prophecies.

43. But if we could possibly admit any part of this prophecy as a plain matter of fact, the fact might still not be so alarming as it is made to appear in the previous citation. Bearing in

* See the Evidence collected in the Report of the Commissioners for Inquiry into the Poor Laws. 8vo. 1834. Pp. 314 to 326.

in mind what has before been made manifest (7), that an immense majority of "towns and populous places" actually want the hands now made stagnant and kept in pauper sloth in the "rural unions," it might, without any disparagement to the "resolution" or "perseverance," or power of "combination" for the management of the vastly greater part of England, where rural wages exceed 9 *s.* 6 *d.* a week, be a most desirable result, if the rural unions could drive thither their movable population. This has been sufficiently discussed before, to make this prospect anything but alarming. (7, 8. 22).

Only it must be submitted that, in plain prose, it cannot be allowed in the same breath that the poor are to have no refuge, and that they are to have a refuge in the most capacious part of England, its towns, and populous places; that all unions are to exclude their poor, and yet that the greatest part, the towns and populous places, are to harbour them; that the poor are to be universally driven to vagabondage, and at the same time to form an increasing balance of pauper population chargeable to "towns and populous places." When the discussion descends to the regions of fact, or even of rational possibility, the one or the other, or neither, of these opposed conclusions may be adopted, but certainly not both of them.

We must, when we condescend to be practical, abate either a little of our alarm for the poor, or a little of our alarm for the towns and populous places.

Prophecy of a "creation" of a tendency in the poor to resort to towns,

44. The same writer proceeds: "Independently also of the "motives or conduct of the ratepayers of rural unions, there "would be a tendency, on the part of the destitute poor, to "resort to the towns on their own account. They would not "be worse off than in the country in regard to relief; whilst "in the towns they would have the advantages of hospitals, "charitable institutions, distributions of clothes and food, "and of begging. For these latter considerations, a large por- "tion of the pauper population would migrate voluntarily to "the towns, and become dependent upon the inhabitants for "their support."

for cure of charity mendicancy.

Like the preceding prophecy of the oppression of towns by the resort of the poor, this is a bold reversal of the whole course of history.

The poor and the rich have always shown a "tendency to "resort to the towns on their own account." As to the rich, every one knows the complaint of Henry VIII., the proclamations upon proclamations of James I., and his celebrated apophthegm appropriate to them. And as to the poor, the

Appendix

Appendix to my Report would alone furnish a running history of the subject for 350 years past, showing that this tendency does not wait to be called into operation by a Bill for the abolition of removal.

But the hard measure here is, that this "resort to towns of "the destitute poor" is exactly the result shown to us, by contemporaneous and successive observers, as the first immediate and specific effect of this very law of settlement itself, which is here assumed to be its preventive. Sir Josiah Child, within seven years after its enactment, described, in terms not easily to be forgotten, the operation of "shifting" the poor, and its evils in England, under the law of removal, being at the same time shrewdly aware of the value of a "free circulation."* And Roger North, as shrewdly observant of the whole operation from its very beginning in 1662, within thirty years after, describes it in the most fearful detail, and much as it might have been witnessed any day from that time to this.

And this, the unquestioned operation of all times, and especially aggravated by the existence of this very law of settlement, is here ignored as to the past, and is evoked by prophecy, as a future effect of the repeal of this law. Then, when removal is abolished, there is to be for the first time a "tendency on the part of the destitute poor to resort to the "towns on their own account." Then they are "not to be "worse off than in the country, in regard to relief." Then, as a new order of things, "they would in towns have the "advantage of hospitals," now of course less sought for a fever, a cancer, or a broken limb, and then to become so attractive that the rural poor will contract disorders and break their limbs to qualify for admission;—"of charitable institu-"tions," hitherto of course despised by the destitute poor, and not yet charged to the extent of their utmost possible means;—"of distribution of clothes and food," now so little sought for by the destitute poor, and then to be so much increased, and so much more accessible to strange applicants, when the hearts of all men are to be so hardened in the "rural unions;"—"of the advantage of begging," to indulge them in which no doubt "the towns" will abolish their police, procure the repeal of their local regulations, and of the general Vagrancy

* He takes a very different view from this writer's: "And if a right course be "taken for the sustentation of the poor, and setting them to work, you need "invent no stratagems to keep them out, but rather bring them in. For the "resort of poor to a city or nation well managed is, in effect, the conflux of riches "to that city or nation; and therefore the subtle Dutch receive and relieve or "employ all that come to them, not inquiring what nation, much less what "parish, they are of." Page 88.

Vagrancy Acts, and will encourage a softening of heads and hearts of all townspeople in exact proportion as the rival rural ratepayers contract the obduracy of the nether millstone.

"For these latter considerations a large portion of the pauper "population would migrate voluntarily to the towns, and "become dependent upon the inhabitants for their support."

This is the fourth time in the same communication in which non-removal is prophetically seen to be the destined producer of all those effects that in the view of history have been hitherto known either as the specific product of the law of settlement itself, or as the effect of general causes in operation since man was man.

Prophecy of a danger of national rates and universal ruin.

45. Next, "If these conjectures are well founded, an injus- "tice would be inflicted upon the towns, and be most point- "edly felt by them, as it would be one for which *no available* "*remedy would exist. And the only one that could be suggested* "would be the extension of the area of rating and charge- "ability, so as to embrace both town and country. The ob- "jections to a general rating are too well known to require "their being reinstated; but it is to that *ruinous system* that "the oppression which would be practised under the Bill "would, in my opinion, eventually lead."

We must sup full of prophetic horrors. We have already had a Pythian vision of universal bribery, cajolery, treachery, oppression, starvation, vagabondage. We have already seen "the towns and populous places" ruined in vaticination. There only remains the "rural unions" not yet so ruined. Here now we shall see the "towns and populous places" will act with a rare but harrowing combination of comedy and tragedy. Their case "would be one "for which no available remedy "would exist;' and as *none* would exist, "*the only one* which "could be suggested would be a ruinous system," "to embrace "both town and country." On this "embrace" the death struggle of the already ruined "towns," and the now to be ruined country, the curtain drops.

Fortunately, this fearful catastrophe hangs on an "if,"—"—*if* these conjectures are well founded." Fortunately, too, for our equanimity, we have seen that they may not be "well founded."

Conclusion.

46. Such are the materials of the most able and elaborate of all the apologies which it has been my fortune to read, in favour of our present law of removal. This apology is not only superior to most other disquisitions having the same object, it has also the merit, so far as I can judge of it, of representing correctly the information and the sentiments prevailing,

prevailing, and the very mode of discussion generally adopted on the same side ;—history not disregarded, but reversed ;—present facts not ignored, but converted in their contradictories,—quantities inverted, the negative made positive, the positive negative—nullity into infinity, infinity into nothing ; and imagination, on which the friends of settlement must necessarily rely alone for materials for their apologies, so used, that even in this the fair laws of a sound imagination are wholly disregarded.

I trust that, as the subject is so important, it will not, after having fairly examined it in its own true bearings, be thought wholly unserviceable to have examined thus the character also of the advocacy by which the oppression of the law of removal is still too successfully maintained.

I beg to submit this to your Honourable Board as a supplement to my Report on the Law of Settlement and Removal.

I have the honour to be,

My Lords and Gentlemen,

Your most faithful Servant,

George Coode.

SUPPLEMENT

TO

MR. COODE'S REPORT

ON THE

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